

CITY OF CORAL GABLES

405 Biltmore Way
Coral Gables, Florida 33134
www.coralgables.com

AGENDA

Wednesday, March 17, 2021

4:00 p.m.

Public Participation via Zoom

City Hall, Commission Chambers

HISTORIC PRESERVATION BOARD

Chairperson Albert Menendez
Vice-Chairperson Cesar Garcia-Pons
Board Member Alicia Bache-Wiig
Board Member Xavier F. Durana
Board Member John P. Fullerton
Board Member Bruce Ehrenhaft
Board Member Raul R. Rodriguez
Board Member Margaret "Peggy" Rolando
Board Member Dona Spain

- - -

Kara N. Kautz, Historic Preservation Officer
ElizaBeth B. Guin, Historic Preservation Coordinator
Gustavo Ceballos, Assistant City Attorney
Catherine Cathers, Historic Preservation office

1 MR. MENENDEZ: Good afternoon. Welcome to
2 the regularly scheduled meeting of the City of
3 Coral Gables Historic Preservation Board. We
4 are residents of Coral Gables and are charged
5 with preservation, protection of historic or
6 architecturally-worthy buildings, structures,
7 sites, neighborhoods and artifacts which impact
8 in part a distinct historical heritage of the
9 City.

10 The Board is comprised of nine members,
11 seven of whom are appointed by the Commission,
12 one by the City Manager and a ninth is selected
13 by the Board and confirmed by the Commission.
14 Five members of the Board constitute a quorum
15 and five affirmative votes are necessary for
16 adoption of any motion.

17 Any person who acts as a lobbyist pursuant
18 to the City of Coral Gables Ordinance No.
19 2006-11 must register with the City Clerk prior
20 to engaging in lobbying activities or
21 presentations before City Staff, Boards,
22 Committees and/or City Commission. A copy of
23 the ordinance is available in the office of the
24 City Clerk. Failure to register and provide
25 proof of registration shall prohibit your

1 ability to present to the Historic Preservation
2 Board on applications under consideration this
3 afternoon.

4 A lobbyist is defined as an individual,
5 corporation, partnership, or other legal entity
6 employed or retained whether paid or not by a
7 principal who seeks to encourage the approval,
8 disapproval, adoption, repeal, passage, defeat
9 or modifications of any ordinance, resolution,
10 action or decision of any City Commissioner,
11 any action, decision, recommendation of the
12 City Manager, any City Board or Committee,
13 including but not limited to, quasi-judicial
14 advisory board, trust, authority or council or
15 any action, decision or recommendation of City
16 personnel during the time period of the entire
17 decision-making process on the action, decision
18 or recommendation which foreseeably will be
19 heard or reviewed by the City Commission or a
20 City Board or Committee, including but not
21 limited to, quasi-judicial advisory board,
22 trust, authority or council.

23 Presentations made to this Board are
24 subject to the City's False Claims Ordinance
25 Chapter 39 of the City of Coral Gables City

1 Code.

2 I now officially call the City of Coral
3 Gables Historic Preservation meeting of
4 March 17, 2021 to order. The time is 4:08 p.m.
5 Present today are board members: John
6 Fullerton, Peggy Rolando, Dona Spain, Bruce
7 Ehrenhaft, Raul Rodriguez, Xavier Durana.
8 Cesar Garcia-Pons, and myself, Albert Menendez.

9 Approval of the minutes. The next item on
10 the agenda is approval of the meeting minutes
11 held on February 17, 2021. Are there any
12 changes or corrections?

13 MR. GARCIA-PONS: Mr. Chair, yes, I do
14 have three changes.

15 I think on the cover it says that I'm the
16 chairperson. Technically I'm the vice-chair.

17 On Page 4, Line 21 it says a mike,
18 M-I-K-E, which should be microphone, M-I-C
19 instead.

20 And Page 30, No. 17, the speaker is me,
21 Garcia-Pons.

22 MR. MENENDEZ: Does anyone else have any
23 changes or corrections?

24 I call for a motion to approve.

25 MR. GARCIA-PONS: I'll move it.

1 MR. FULLERTON: I'll second it.
2 MR. MENENDEZ: Second. Okay. Call the
3 roll, please.
4 MS. KAUTZ: Mr. Garcia-Pons?
5 MR. GARCIA-PONS: Yes.
6 MS. KAUTZ: As amended, right?
7 MR. GARCIA-PONS: Yes, as amended.
8 MS. KAUTZ: Alicia Bache-Wiig is not here
9 yet.
10 Mr. Durana?
11 MR. DURANA: Yes.
12 MS. KAUTZ: Mr. Fullerton?
13 MR. FULLERTON: Yes.
14 MS. KAUTZ: Mr. Ehrenhaft?
15 MR. EHRENHAFT: Yes.
16 MS. KAUTZ: Mr. Menendez?
17 MR. MENENDEZ: Yes.
18 MS. KAUTZ: Mr. Rodriguez?
19 MR. RODRIGUEZ: Yes.
20 MS. KAUTZ: Ms. Spain?
21 MS. SPAIN: Yes.
22 MS. KAUTZ: And Ms. Rolando?
23 MS. ROLANDO: Yes.
24 MS. KAUTZ: Great. Thank you.
25 MR. MENENDEZ: Notice regarding ex-parte

1 communications. Please be advised that this
2 Board is a quasi-judicial board and the items
3 on the agenda are quasi judicial in nature,
4 which requires Board members to disclose all
5 ex-parte communications.

6 An ex-parte communication is defined as
7 any contact, communication, conversation,
8 correspondence or memorandum or any other
9 written or verbal communication that takes
10 place outside of a public hearing between a
11 member of the public and member of a quasi
12 judicial board regarding matters to be heard by
13 the quasi judicial board.

14 If anyone has made any contact with a
15 Board member, when the issue comes before the
16 Board, the member must state on the record the
17 existence of the ex-parte communication, the
18 party who originated the communication and
19 whether the communication will affect the Board
20 member's ability to be impartial in considering
21 the evidence to be presented regarding the
22 matter.

23 Deferrals. Do we have any deferrals
24 today?

25 MS. KAUTZ: No, there are none.

1 MR. MENENDEZ: Okay.

2 Swearing in. If any persons in the
3 audience will be testifying today, they need to
4 be sworn in.

5 THE STENOGRAPHER: All who is testifying,
6 please raise your right hand.

7 MS. KAUTZ: I'm sorry, Jill, what we have
8 been doing is doing it as the item comes up,
9 not at the beginning.

10 THE STENOGRAPHER: Okay.

11 MS. KAUTZ: Because if you need to see the
12 visual and all of that.

13 THE STENOGRAPHER: Okay. Thank you.

14 MR. MENENDEZ: Do any board members have
15 any ex-parte communication or site visits to
16 disclose at this time? Okay.

17 MR. RODRIGUEZ: I can disclose I drove by
18 the property at 230 Salamanca Avenue.

19 MR. MENENDEZ: Okay.

20 Let's start off with the first case file,
21 which is Case File LHD 2019-012, Consideration
22 of the local historic designation of the
23 property at 230 Salamanca Avenue, legally
24 described as Lot 2, Block 33, Coral Gables
25 Douglas Section, according to the Plat thereof,

1 as recorded in Plat Book 25, at Page 69 of the
2 Public Records of Miami-Dade County, Florida.

3 Kara, do you have a presentation?

4 MS. KAUTZ: We do. ElizaBeth? Whose
5 running this? ElizaBeth?

6 MS. GUIN: (Recorded) The property at 230
7 Salamanca Avenue is before you for
8 consideration for --

9 THE STENOGRAPHER: One moment. Do I need
10 to swear in everybody on this agenda, Kara?

11 MS. KAUTZ: Not Staff and I don't know if
12 there's anyone on Zoom who is here for this
13 item.

14 MS. GUIN: I believe the owner is on-line.

15 MS. KAUTZ: If there's anyone who wants to
16 speak on the item, you need to be sworn in so
17 please identify yourself.

18 MR. MANUEL RIVERO: Yes, Manuel Rivero.
19 I'm the owner.

20 (Thereupon, Manuel Rivero was duly sworn.)

21 MS. KAUTZ: We have a presentation.

22 MS. GUIN: (Recorded) The property a 230
23 Salamanca Avenue is before you for
24 consideration for designation as a local
25 historic landmark. The designation is

1 requested by the owner.

2 MR. RODRIGUEZ: Is it possible to have a
3 full screen?

4 MS. GUIN: As per Article 3, Section
5 3-1103 of the Coral Gables Zoning Code --

6 MR. RODRIGUEZ: Is that possible?

7 MS. KAUTZ: I'm seeing it as a full
8 screen.

9 MR. URQUIA: If you change your view to
10 speaker view, you should be able to see the
11 full screen.

12 MR. RODRIGUEZ: Thank you.

13 MS. GUIN: (Recorded) The property at 230
14 Salamanca Avenue is before you for
15 consideration for designation as a local
16 historic landmark. The designation was
17 requested by the owner.

18 As per Article 3, Section 3-1103 of the
19 Coral Gables Zoning Code, Criteria for
20 designation of local historic landmarks: A
21 local historic landmark must have significant
22 character, interest or value as part of the
23 historical, cultural, archaeological,
24 aesthetic, or architectural heritage of the
25 City, state or nation. For designation, a

1 property must meet one of the criteria as
2 outlined in the Code.

3 230 Salamanca Avenue is eligible as a
4 Local Historic Landmark based on three
5 criteria. Historical, Cultural significance:
6 It exemplifies the historical, cultural,
7 political, economic or social trends of the
8 community.

9 Architectural significance: Criteria 1.
10 It portrays the environment of an era of
11 history characterized by one or more
12 distinctive architectural style. And Criteria
13 2. It embodies those distinguishing
14 characteristics of an architectural style, or
15 period, or method of construction.

16 230 Salamanca Avenue is a multifamily
17 residence located in the Douglas Section of
18 North Ponce. It sits on the south side of
19 Salamanca Avenue between Salzedo Street and
20 Ponce de Leon Boulevard on a 50 foot by 110
21 foot interior lot.

22 George Merrick founded Coral Gables in the
23 early 1920s based on his vision for a fully
24 conceived Mediterranean-inspired City. The
25 City's Developmental History is divided into

1 three major historical periods. During the
2 initial developmental period architecture was
3 designed specifically combining elements
4 commonly used in Spanish, Moorish and Italian
5 architecture and has come to be known as the
6 Mediterranean Revival style. During the
7 1920's, structures and amenities were built
8 almost exclusively in accordance with this
9 style.

10 The construction of this apartment
11 building at 230 Salamanca Avenue occurred
12 during this initial phase simultaneous to the
13 incorporation of the City. This multifamily
14 residence was designed in 1925 by Architect H.
15 George Fink. Fink was a member of George
16 Merrick's initial design team and was a major
17 contributor to the defining of the
18 Mediterranean Revival style in Coral Gables.
19 The residence was built for Warren E. Richards
20 who was instrumental in developing the Douglas
21 Section.

22 When developing Coral Gables, Merrick
23 purposely embraced both the City Beautiful and
24 the Garden City movements. Garden City
25 precepts included apportioning sections of the

1 City to specific uses and planning for various
2 incomes. The multifamily building at 230
3 Salamanca Avenue is located in the Coral Gables
4 Douglas Section subdivision.

5 Records indicate that in 1923 Merrick
6 purchased portions of the Douglas Grow Fruit
7 Farm from pioneer John Douglas with the
8 intention of developing it as a distinctive
9 section with high grade apartment houses that
10 would provide affordable housing for working
11 class citizens. These apartment houses is an
12 example of how Merrick implemented this vision.

13 Land sales in the Douglas section began in
14 January 1924 and included Ponce de Leon
15 Boulevard, which was planned as a wide
16 boulevard to serve as its main commercial
17 thoroughfare.

18 By 1925 when this apartment building was
19 permitted, several of Coral Gables important
20 buildings and institutions were located along
21 Ponce and the monumental Douglas Entrance was
22 under construction.

23 In 1926 the section was officially platted
24 as seen here. In this 1938 aerial photo you
25 can see the initial construction that occurred

1 in the Douglas Section area. The arrow
2 indicates the location of 230 Salamanca Avenue
3 and you can see the Douglas entry at the top
4 right of the photo.

5 Unfortunately, as construction was ramping
6 up in the area, the 1926 hurricane hit, and
7 they prepared a commercial building in the
8 area, a trend that continued throughout the
9 economic depression of the 1930s. However, the
10 Douglas Section did see a slow continuous
11 building of apartments into the early 1940s
12 most likely due to the marketability of rental
13 units during hard economic times.

14 In the 1940s, with the general resurgence
15 of the building, coupled with the increased
16 need for affordable housing, the City
17 established the Douglas Section as part of the
18 Coral Gables apartment district in order to
19 encourage continued apartment construction.
20 The area is now referred to as North Ponce.

21 In these 1954 and 1963 aerial photos, you
22 can see how much the area developed with the
23 predominately multifamily residences at
24 mid-Century. As originally planned and
25 developed as the City's apartment house area,

1 the Douglas Section has retained that primary
2 use through to the present with the multifamily
3 building at 230 Salamanca Avenue being one of
4 the first units built.

5 The apartment building at 230 Salamanca
6 Avenue was originally built with 12 efficiency
7 apartments, six on each floor, and each unit
8 was equipped with a foldout bed closet.

9 City directories indicate that it was
10 fully occupied when it sold for the first time
11 in December of 1926. The new owner named it
12 the Magnolia Apartments and it retained that
13 name through several owners into the 1930s.
14 City directories demonstrate that the tenants
15 were typically service professionals or
16 seasonal residents. You can see a selected
17 list of early tenants on the slide.

18 From 1934 and well into the 1950s it was
19 known as the Clark Apartments. In the early
20 1940s, the building was leased for several
21 years by the Embry Riddle Company, which was
22 the nation's largest aviation trainer during
23 World War 2 for the U.S. military, its allies
24 and civilians. The building was used to house
25 trainees and trainers.

1 The apartment building was designed by
2 Architect H. George Fink. Fink was one of the
3 most well-known and prolific designers in Coral
4 Gables. He was a dominant architect of George
5 Merrick's original design team and was
6 responsible for much of the early design
7 planning of the City.

8 Fink's early work in Coral Gables created
9 much of the Mediterranean Revival architectural
10 fabric, which became emblematic of the City.
11 Fink continued to work as an architect in Coral
12 Gables well into the 1960s. He served on the
13 Coral Gables Board of Architects 1945 to 1956
14 acting as its chairman for seven years.

15 In this two-story apartment building and
16 throughout the Douglas Section, Fink utilized
17 the Mediterranean Revival style in a slightly
18 different manner from his single family homes.
19 He created distinct multifamily unit design.
20 Multifamily residents at 230 Salamanca Avenue
21 is a prime example of his work in this area.
22 Built in the Mediterranean Revival style, which
23 characterized Coral Gables in the 1920s, this
24 multifamily residents includes many of the
25 character-defining features of the style often

1 seen in his single family homes, such as
2 twisted columns, molded cornice, applied
3 ornamentation simulating arched openings and
4 textured stucco, but he used it in a different
5 manner. In particular, the symmetrical
6 arrangement of the front facade, the decorative
7 twisted columns used at the building's corners
8 and the large molded corners running its story
9 height below the parapet imparts a different
10 and distinct take on the style.

11 In this slide you can see the
12 ornamentation of the front facade a little more
13 clearly as depicted in Fink's original drawing
14 on the left and a current photo on the right.
15 In this photo in particular you can see the
16 large scale and the projection of the molded
17 corners and how it wraps around the corner of
18 the side facades.

19 Here is some details of the ornamentation.
20 The raised nature of the first floor over a
21 crawl spaces is articulated with a slightly
22 protruding base with a molded top. Like the
23 molded cornice, the base wraps around the
24 corners. Sitting on top of the base at the
25 corner of the building are slender twisted

1 columns nestled in coved niche. The column
2 rises to the full height of the first story.

3 The front door comprises of a pointed arch
4 application above the doors and a simple molded
5 door surround. Above each window on the front
6 facade are triplet pairings of applied cast
7 masonry and a trefoil arch outline. On the
8 first story in the area between the triplet
9 windows and the protruding base are applied
10 masonry quatrefoil patterned grates.

11 From this view you can see the west side
12 elevation. Note how the molded corners turns
13 the corner and also note the long shallow
14 crenallations of the side facade parapets.

15 The fenestration pattern reflect the
16 original layout of the apartments. The triplet
17 casement windows were associated with the
18 living room of each unit and each kitchenette
19 and each bathroom had a smaller paired casement
20 window.

21 Comparison and permit drawings and
22 historic photographs of the extant building
23 demonstrates a substantial integrity this
24 multifamily residence has retained over the
25 past 95 years. There have been additions to

1 the building and apart from the original wood
2 windows and doors, all original
3 character-finding features are extant and not
4 altered.

5 The most impactful alteration was the
6 removal of the original doors and windows. At
7 some point prior to 1956 the wood casements
8 were replaced with awning windows. The
9 original openings are retained, but the
10 configurations were altered. Triplets became
11 pairs and paired windows became singles as you
12 can see in the photo. Also the original
13 double-leaf door of the front entry and its
14 spindled screen doors were removed. Half of
15 the entry was retained for a single door and
16 the other half was infilled with a narrow
17 window which you can clearly see in the 2018
18 photo.

19 In 2019 the current owner installed
20 hurricane impact windows. He re-instituted the
21 original casement window configuration with its
22 high-profile muntins. He also returned the
23 front entry to the original two-door
24 arrangement and installed a spear-frame awning
25 to match those seen in the earlier historic

1 photographs.

2 The current owner has worked with our
3 department every step of the way and we want to
4 thank him for his care and his diligence and
5 his stewardship for this historic property.

6 The multifamily residence at 230 Salamanca
7 Avenue is a prime example of H. George Fink's
8 distinctive use of the Mediterranean Revival
9 style in the City's first apartment district.
10 It also stands as an example of Merrick's
11 embracing the Garden City's precepts of
12 apportioning sections of the City for various
13 uses.

14 The multifamily residence was amongst the
15 first built in the Douglas Section and it
16 stands as an example of an early development of
17 the City, as well as George Merrick's vision
18 for the Mediterranean Revival City, which
19 included a high end and affordable housing
20 amenities.

21 The property at 230 Salamanca Avenue
22 retains this architectural integrity and
23 significantly contributes to the historic
24 fabric of the City of Coral Gables. It is part
25 of the collection of quality buildings that

1 serves as a visible reminder of the history and
2 the cultural heritage of the City.

3 Staff recommends approval of the local
4 historic designation of the property at 230
5 Salamanca Avenue based on its historical,
6 cultural and architectural significance.

7 MR. MENENDEZ: Is there anyone in the
8 audience who wishes to speak in favor of this
9 case? Yes?

10 MR. MANUEL RIVERO: Yes. I'm the owner
11 and I just wanted to briefly, because I know
12 everybody is pressed for time and so am I.

13 I have been working in Coral Gables since
14 I was 18 at 1313 Ponce. I'm currently going
15 through a renovation in this building. The
16 reason we purchased the Salamanca property was
17 because it was a hop, skip and a jump away from
18 where I work and it was a good investment at
19 the time. The previous owner was a foreigner
20 that had pretty much left it as is with those
21 nasty windows and the one door.

22 So my intention was always to -- my
23 initial intention was not really to bring it up
24 to historical standards, but to bring it up to
25 make it more appealing to anybody passing by.

1 And it wasn't until I began that project
2 that I met Dona. And I need to say that Dona
3 throughout the entire process and her staff,
4 can't forget the staff there that I met many
5 times going over to take plans back and forth,
6 was extremely helpful, guided me through and
7 the more that I speak to them, the more I was
8 encouraged to continue to make the building
9 look as much as possible to its original state.

10 The casement windows was a huge issue,
11 because the window vendors -- the vendor at the
12 time said that that wasn't going to be
13 possible, that he had never heard of that, and
14 the more that I had the picture that Dona gave
15 me on my desk and showed it to him, the more I
16 pushed that it had to be like that.

17 And finally, you know, I was looking back
18 at the dates. I began this project in late
19 December, late 2018 and even though it was a
20 struggle, I'm extremely happy and so is
21 everybody that lives there and my family with
22 the outcome.

23 So, you know, I have my assistant here
24 next to me that we always pass by and was
25 always dealing with the staff and kept

1 encouraging me to go forward. So much so that
2 I don't know if you can see it in one of the
3 earlier pictures, but there's a small bench.
4 If you see it in Mr. Fink's earlier pictures,
5 there's a small bench next to the palm tree. I
6 got a yellow bench that I got off another
7 property that was going to be tossed and I
8 brought it over and put it in the same
9 location.

10 When I received the email a couple of
11 weeks ago from ElizaBeth, I was so gung-ho
12 because honestly with everything of COVID and
13 all our work going on here at 1313 I had
14 completely forgot about this and it just
15 brought a smile to my face when this was put
16 back on the Board. I just want to say thank
17 you to everybody.

18 MR. MENENDEZ: Thank you.

19 MS. SPAIN: I'd like to make a comment.

20 MR. MENENDEZ: Go ahead.

21 MS. SPAIN: I just can't thank the owner
22 enough for doing what was right for this
23 building and what a huge difference it is. I
24 mean, look at the comparison with those windows
25 in particular compared to the awning windows

1 that were there prior.

2 And it's such an intact building. When I
3 saw that it was on the agenda, I felt like
4 maybe I should recuse myself, but it's such a
5 good story and I wanted to see the presentation
6 and, you know, it's not like I changed anything
7 on it, so I felt comfortable, you know, that I
8 am able to vote on that.

9 MR. MANUEL RIVERO: No, you did it. As a
10 matter of fact, you pushed me along to make it
11 exactly the way it was though.

12 MS. SPAIN: And I'm so glad that you did
13 and you're happy with it.

14 MR. MANUEL RIVERO: Yes, I'm extremely
15 happy with it. It puts a smile on my face when
16 I cut through that street to come to work every
17 day.

18 MS. SPAIN: I don't go by there very
19 often, but when I do I have to say I smile
20 because it really makes that street and thank
21 you. Thank you very much for doing that.

22 MR. MENENDEZ: Is there anyone in the
23 audience who would like to speak against this
24 case?

25 MR. URQUIA: Yes, there are two speakers

1 in the audience who want to speak on this.
2 Kara, you have a hand raised and you have
3 someone else who would like to speak as well.

4 MS. KAUTZ: Yes, I don't know who the
5 telephone number is.

6 MR. URQUIA: The telephone number is, I
7 believe, Ms. Karelia Martinez Carbonell.

8 MS. KAUTZ: Do I have to unmute her or can
9 she unmute herself?

10 MR. URQUIA: You have to unmute her. I
11 lost her.

12 MS. KARELIA CARBONELL: Hello.

13 THE STENOGRAPHER: Do I need to swear her
14 in?

15 MS. KARELIA CARBONELL: Hello.

16 MS. KAUTZ: We can hear you. You need to
17 be sworn in.

18 MS. KARELIA CARBONELL: Can you hear me?

19 MR. URQUIA: She can't be sworn in on the
20 telephone.

21 MS. SPAIN: I don't think she can unless
22 we see her.

23 THE STENOGRAPHER: Okay. Thank you.

24 MR. URQUIA: Go ahead.

25 MS. KARELIA CARBONELL: Hello, everyone.

1 Good afternoon. Can you all hear me?

2 MR. URQUIA: Yes.

3 MS. MAYRA JOLI: Yes.

4 MS. KARELIA CARBONELL: I just want to on
5 behalf -- I'm the president of the Historic
6 Preservation Association of Coral Gables and we
7 did submit a letter in support of the
8 designation and, Kara, I don't know how many
9 other letters were received. It would be nice
10 to know the number.

11 But I just want to really thank the owner.
12 Many times these issues are not as friendly as
13 this afternoon and I want to thank him
14 personally from our organization for stewarding
15 the property to the integrity that it deserves,
16 the historical integrity. So I really want to
17 thank the owner.

18 So, Kara, you have our letter on file.
19 Again, I don't know if it has to be read into
20 the file, but I can certainly read it. But,
21 you know, I will quickly make it happen.

22 "On behalf of the Historic Preservation
23 Association of Coral Gables, please accept this
24 letter in support of the historical designation
25 for 230 Salamanca as recommended by the City's

1 preservation staff.

2 "This multifamily residence built in 1925
3 was designed by H. George Fink. Over 100 of
4 his projects are local landmarks and it was
5 designed in his signature Mediterranean Revival
6 style. This residence was among the first
7 built in Coral Gables as an example of George
8 Merrick's Garden City concepts. It retains
9 unique Venetian features and its style
10 significantly contributes to the historic
11 fabric of the City.

12 "We ask the Historic Preservation Board to
13 accept the recommendation of the City's
14 preservation office and approve the local
15 landmark designation of 230 Salamanca."

16 Thank you very much.

17 MS. KAUTZ: We did receive a number of
18 letters in support that if Warren is able to,
19 we're going to test that out right now, to see
20 if he can.

21 MR. WARREN ADAMS: Can you hear me?

22 MS. KAUTZ: Yes, we can.

23 MR. WARREN ADAMS: We have probably I
24 think it's ten letters in support here. Would
25 you like me to read them into the record or

1 would you just like to know who it was
2 submitted by?

3 MS. KAUTZ: Normally we just tell who
4 submitted them because they are part of the
5 record, the official record.

6 MR. WARREN ADAMS: We have one letter of
7 support from Sandra L. Scidmore. We have
8 another from Rabbi Howard E. Berman. We have
9 one from Zully Pardo. We have another one from
10 the Villagers, another from Brett Gillis, one
11 from Mary E. Burke, one from Norma E. Arenas,
12 one from Bruce Fitzgerald. As you heard, one
13 from the Historic Preservation Association of
14 Coral Gables and one from Michelle Bunaj.

15 MS. KAUTZ: Thank you.

16 And there's also Mayra Joli. You would
17 like to speak as well?

18 MS. MAYRA JOLI: Yes. Am I on mute? Can
19 you hear me?

20 MS. KAUTZ: Yes. Go ahead.

21 MS. MAYRA JOLI: What I wanted to say is
22 that I'm really glad --

23 MS. KAUTZ: I'm sorry, you do need to be
24 sworn in.

25 MS. MAYRA JOLI: Oh, okay.

1 (Thereupon, Mayra Joli was duly sworn.)

2 MS. MAYRA JOLI: Well, what I wanted to
3 say is that I'm really glad that some -- you
4 know, this family bought the property and saw
5 it for what it was instead of what it would be
6 a potential, you know, after it was demolished.

7 We are in Coral Gables and learning to
8 love the essence of Coral Gables takes more
9 than just looking at the potential of the land.
10 It's the essence of the property, what it's
11 entitled, it's history, and I'm really, really
12 glad I joined this group in which I thought,
13 you know, I was the only one. You feel like
14 you are by yourself just looking at this beauty
15 and just wanting to hold onto it.

16 But when families like yourself, sir, you
17 know, see what we are seeing, you're very
18 young, you know, in comparison to some of us
19 and we applaud that and we want to see more of
20 that. So thank you. Thank you very much.

21 MR. URQUIA: Can you state your name and
22 address?

23 MS. MAYRA JOLI: Yes. My name is Mayra
24 Joli and my address is 700 Geronimo Drive,
25 Coral Gables, 33146.

1 MR. URQUIA: Thank you.

2 MR. MENENDEZ: Anyone else would like to
3 speak in favor of or opposition to this case?

4 MS. KAUTZ: Anybody else?

5 MR. MENENDEZ: I will close the public
6 hearing portion and open it up to the board.

7 Any comments?

8 MR. MANUEL RIVERO: Thank you all very
9 much, okay, appreciate it.

10 MR. MENENDEZ: I really need to commend
11 you. This building looks beautiful. The
12 change of the windows alone changes the
13 character of this building. I think you've
14 done a great job.

15 Any other board members would like to
16 speak?

17 MR. FULLERTON: I would like to make a
18 motion with my congratulations to the owner on
19 a really nice job. We're happy that you are
20 happy with the process because part of our
21 challenge is to tell people that this is good
22 business, along with being the right thing to
23 do for the City.

24 Anyway, I would like to make a motion to
25 approve the designation as written presented by

1 the Staff.

2 MS. ROLANDO: Second.

3 MR. MENENDEZ: Ms. Rolando seconded it.

4 MS. KAUTZ: Okay.

5 MR. MENENDEZ: Can we have a roll, please?

6 MS. KAUTZ: Sure. Ms. Bache-Wiig?

7 MS. BACHE-WIIG: Yes.

8 MS. KAUTZ: Mr. Menendez?

9 MR. MENENDEZ: Yes.

10 MS. KAUTZ: Ms. Rolando?

11 MS. ROLANDO: Yes.

12 MS. KAUTZ: Mr. Garcia Pons?

13 MR. GARCIA-PONS: Yes.

14 MS. KAUTZ: Mr. Ehrenhaft?

15 MR. EHRENHAFT: Yes.

16 MS. KAUTZ: Mr. Rodriguez?

17 MR. RODRIGUEZ: Yes.

18 MS. KAUTZ: Ms. Spain?

19 MS. SPAIN: Yes.

20 MS. KAUTZ: Mr. Fullerton?

21 MR. FULLERTON: Yes.

22 MS. KAUTZ: And Mr. Durana?

23 MR. DURANA: Yes.

24 MS. KAUTZ: Great. Thank you.

25 MR. MENENDEZ: Thank you.

1 MR. MANUEL RIVERO: Thank you all.

2 MR. MENENDEZ: Our next case is Special
3 Certificate of Appropriateness. Case File COA
4 (SP) 2015-007 Revised. An application for a
5 revision to a previously issued Special
6 Certificate of Appropriateness for the property
7 at 936 Castile Avenue, a contributing resource
8 within the Castile Avenue/Plaza Historic
9 District, legally described as Lot 8, Peacock
10 Re-Subdivision, according to the Plat thereof,
11 as recorded in Plat Book 35, at Page 60 of the
12 Public Records of Miami-Dade County, Florida.
13 The application is requesting design approval
14 for an addition and alterations to the
15 residence and site work was approved on August
16 20, 2015. This revision requests design
17 approval for as-built deviations from the
18 previously approved plans.

19 MS. SPAIN: I think I need to recuse
20 myself from this because when I was the
21 preservation officer, I met with the owner
22 about the deviations. So I'm not comfortable
23 voting on it.

24 MR. MENENDEZ: Okay.

25 Kara, do we have a report by the City?

1 MS. KAUTZ: Yes.

2 Gus, there is still an in-person quorum.
3 There was six in the chambers so she can leave.

4 MR. MENENDEZ: Okay.

5 MR. FULLERTON: Does Ms. Spain have to go
6 out? Can we ask her questions about her
7 interaction with the owner?

8 MR. MENENDEZ: You can't vote.

9 MR. FULLERTON: I was just wondering since
10 she was part of the -- you know, the group that
11 reviewed it first.

12 MS. KAUTZ: That is a question for Gus.

13 MR. GUS CEBALLOS: I'm hearing everybody
14 talk over each other. What was the question,
15 Kara?

16 MS. KAUTZ: If Dona, who is recusing
17 herself, needs to step out of the room in case
18 the board wants to ask her any questions about
19 her interactions with the owner.

20 MR. GUS CEBALLOS: Her interaction with
21 the owner in what capacity?

22 BOARD MEMBER GARCIA PONS: As a previous
23 historic preservation officer.

24 MS. SPAIN: (not speaking in mic. Not
25 audible)

1 MR. URQUIA: I can't hear Dona.

2 MS. SPAIN: I meant specifically about the
3 deviations from the plans and that's what you
4 all are going to vote on. So I don't think
5 that I should be part of any discussion on
6 that. Is that right, Gus?

7 MR. GUS CEBALLOS: I agree. I agree.

8 MS. KAUTZ: I know that the owner is on
9 the call. So if they would like to get sworn
10 in before we begin our presentation, then I
11 will turn it over to them.

12 (Thereupon, Kathrina and Jorge Saladrigas
13 were duly sworn.)

14 MS. KAUTZ: If you all can put on the
15 Power Point, please. I meant ours, but that's
16 okay. I meant for IT to pull ours up.

17 MS. KATHRINA SALADRIGAS: Okay, I'm sorry.

18 MS. KAUTZ: That's all right. It's short.
19 I think CG-TV has our Power Point. So if they
20 can pull it up for this item. Okay, so we're
21 going to pretend that we have it.

22 MR. URQUIA: Kara, cable TV only had the
23 one Power Point. They don't have the second
24 one.

25 MS. KAUTZ: It's on the public drive.

1 There's two. There is actually a couple in
2 there. If they can retrieve it from that,
3 place that would be good. Sorry.

4 MR. URQUIA: I'm sorry, you said on the
5 public drive where?

6 MS. KAUTZ: Under historical resources.

7 MS. GUIN: This property at 2214 Segovia
8 Circle is before you for consideration as a
9 local historic landmark.

10 MS. KAUTZ: That's not it. There's one
11 that just says HPB with today's date. Do you
12 see it?

13 MR. URQUIA: Kara, what's the folder on
14 the historic resource's drive?

15 MS. KAUTZ: Power Point HPB 2021 and
16 today's date and then it's the one that says
17 today's date. I would pull it up but I'm on a
18 laptop and I can't access the server.

19 MR. URQUIA: They're pulling it up right
20 now.

21 MS. KAUTZ: Thank you. If you can go to
22 this item, please. Next. Next. One more.

23 This is the location map of the property.
24 It sits just south of Young Park on Castile.
25 You all approved a Certificate of

1 Appropriateness in August of 2015. It was
2 about seven years after this district was
3 designated as a local historic district. This
4 property was constructed in 1931 and it's
5 considered a contributing resource within the
6 historic district.

7 It says specifically, "This revision
8 requests approval of as-built deviations from
9 the approved COA." So during construction, the
10 original window sills of the residence were
11 removed as was an original plinth and a
12 decorative urn.

13 If you can move forward, please.

14 This is a 1940's photo of the house. You
15 can see the sills that are on there and if you
16 actually look at this photo with a loop,
17 because of the landscaping, the urn is actually
18 there. This was a photograph just after --
19 probably just after construction in the 1940s.

20 Next.

21 So when the board reviewed the COA back in
22 2015, both the sills and the urn were depicted
23 in both the existing and proposed elevations as
24 you can see here. There's no indication that's
25 given that either feature was going to be

1 removed and they are considered
2 character-defining features to the residents.

3 Go to the next slide.

4 And this is a photo from 2015 showing both
5 the urn and the plinth and also the sills on
6 the left side and it was the sills throughout
7 the house that were removed.

8 If the Saladrigas would like to share
9 their Power Point now, we can take this one
10 down.

11 MS. KATHRINA SALADRIGAS: Thank you.

12 MS. KAUTZ: Do I need to give you -- yep,
13 you got it.

14 MS. KATHRINA SALADRIGAS: Can everyone see
15 our presentation? I'm trying to make it
16 bigger. Is that better?

17 MS. KAUTZ: Yeah, I think that's fine.

18 MS. KATHRINA SALADRIGAS: Okay, thank you.

19 So, hi, I'm Kathrina and this is Jorge, my
20 husband. So the first thing we wanted to go
21 through were some of the examples of how we in
22 some cases restored the original historic
23 character of the house.

24 We did -- and I'll be completely honest
25 with you, we bought this house for two reasons.

1 One because it had historic character and, two,
2 if you've ever driven by our home, there is a
3 massive banyan right across the street in
4 Young's Park, which is one of the most stunning
5 trees I've seen in my life. So I'm very
6 much -- that's why we picked the property that
7 we picked.

8 To give you an idea of the state of the
9 home when we purchased it, within just about
10 three weeks of buying the home a quarter of the
11 ceiling within the kitchen collapsed and the
12 toilet in what is now my daughter's room fell
13 through the crawl space because the beams and
14 the floors had been so severely rotted, even
15 though the toilet wasn't used at any point,
16 thank goodness nobody with here at that time,
17 it collapsed into the crawl space underneath.
18 So the home was very much needing tender loving
19 care.

20 So first thing we have here, it was also
21 depicted in Kara's pictures. Actually, I'm
22 glad she had that picture. It's a better
23 picture than I had of it. One of the ways we
24 tried to restore the historical integrity of
25 the home is on the front elevation of the home,

1 per Lester Avery's blueprint, to the right of
2 the main feature window that has the wooden
3 spindles, there was supposed to be a window.
4 We don't know which homeowner, but at some
5 point one of the previous homeowners had
6 changed this to where the side shutters were
7 still the same size, but it was changed to a
8 floor-to-ceiling window with a concrete slab
9 sticking out of it. It almost made it look
10 like a Romeo and Juliette type of balcony and
11 we took that back to the original design.

12 So, again, Kara's picture was better than
13 mine. I apologize I didn't have it, but what I
14 show you in Picture 2 is that, you know,
15 extended window/door that one of the homeowners
16 had done with that extended concrete CAD and
17 then that railing that he or she had put around
18 it.

19 So you can see it, not very well, but
20 Picture 2 you can kind of see what I'm
21 referring to. Again, Kara's was a better
22 image. And then Picture 3 is the restoring it
23 to the original Lester Avery's design. Again,
24 this is the middle of the front of the home.

25 Example No. 2 is the backyard. So there

1 was a fountain which when we purchased the
2 home, we didn't even know it was there because
3 the overgrowth of foliage was so, so bad you
4 couldn't see it at all. Once we got rid of all
5 of that excess overgrowth we actually could see
6 the top of the fountain and the inside, but we
7 couldn't see the face at all.

8 So if you see here in the second picture
9 this whole section was buried capped in dirt and
10 the picture all the way to the right is the one
11 that shows you that we restored all the relief
12 work on the bottom front facade of that
13 fountain. So you can now see it's mostly
14 pelicans and seashells. We also fixed the
15 machinery so it is a fully functional fountain
16 now.

17 The next picture we have here is -- I
18 don't know the technical name, I apologize, but
19 around one of the windows, this is actually a
20 window between my girls' bedrooms, there is an
21 architectural feature that according to Lester
22 Avery's drawings, the blueprints, would have
23 had wooden spindles around it. By the time the
24 home became ours, I don't know what point in
25 its life it lost those wooden spindles, but we

1 restored them. That's what the picture on the
2 right shows.

3 MR. JORGE SALADRIGAS: And actually just
4 to jump in there one second, there was one
5 spindle that remained that actually at Kara's
6 advice and Dona, when she was in charge of the
7 Historic Preservation Board at the time, there
8 was one spindle that remained and before
9 construction started, we actually took good
10 care to take that spindle. Knowing that it
11 would likely get further damaged, and it was
12 the only remaining spindle, we took that
13 spindle to a master turner, basically, that
14 turns wood by hand and created every other
15 spindle to match it identical. So I just
16 wanted to point that out as well.

17 MS. KATHRINA SALADRIGAS: So continuing on
18 to the next page. You can all see this is also
19 the front facade of the house, but this is the
20 left side. A previous owner, again we don't
21 have documentation to know which, changed that
22 left facade of the house. So instead of having
23 per Lester Avery's original blueprint the curve
24 that you see in the middle photo of the
25 blueprint, corner feature, sorry, that you see

1 in the middle photo that reflects the
2 blueprint, it was a very hard angular line that
3 came off the left side of the house.

4 So those are -- oh, I don't think we
5 discussed this in the past, but just to give
6 you an idea we're not just talk, even inside
7 the home we very much tried to retain the
8 character of the home. So I don't know if you
9 can tell, but the floor are the original floors
10 that we have restored. It looks like quarry
11 tile, but in between the quarry tile it has
12 individual decorative pieces. So there's one
13 that's a lobster and there's one that's a key
14 and there's one that's a flower and it's --
15 it's beautiful.

16 And then we also restored the wood-burning
17 fire -- chimney. So that it is fully
18 functional. We actually a couple times a year
19 roast marshmallows with the girls in the
20 wood-burning chimney and then I'm not sure if
21 you can see it in the photo, but to the left
22 there you have all the chimney tools that we
23 were lucky enough to be able to buy in the
24 estate sale from a gentleman that passed away
25 that we purchased the home from. We also

1 purchased from him during the estate sale the
2 desk that you see to the right that over looks
3 the window and the -- I don't know what it's
4 called, but the piece that's holding up the
5 wood as well we were able to purchase from the
6 estate sale.

7 So, again, we felt it was important to
8 tell you that we really are committed to
9 maintain the historical integrity of the home
10 and we wanted to give you some concrete
11 examples of how we lived up to that commitment.

12 So in this picture here, it's just calling
13 out those features that we spoke about a moment
14 ago. So that left corner, that center window
15 that had been altered by a previous owner, the
16 spindles on the right side for the
17 architectural feature and the fountain is in
18 the back of the home so that No. 3 that's
19 floating in the sky is referencing the fact
20 that the fountain is in the back of the home,
21 not the front of the home.

22 So on the items that are under review for
23 today, specifically per Kara, are the
24 plinth/urn. And so the first reason why it is
25 not there anymore is because per the original

1 blueprints from Mr. Avery, there wasn't a
2 plinth/urn and so we thought it was added after
3 the fact. We found that a majority of the
4 items in the home that were painted turquoise,
5 we found were not in the original blueprints.
6 So, for instance, there were some turquoise
7 painted -- I don't know how you describe it,
8 like bars over here, like security bars and
9 things of that nature that were not in the
10 original painting -- or not painting, drawings.

11 So we didn't think it was original to the
12 home. And then per Kara's drawings, absolutely
13 we did receive her letter, but when we looked
14 at it, we don't have the original, we have what
15 was in the letter, we don't see it here. So I
16 really think that it was added by a homeowner
17 after the fact. And so in learning about the
18 process and the features that are
19 characteristic of the property, we didn't see
20 it as characteristic of the property.

21 And so, again, I apologize that my
22 architect had put that in the elevations. I
23 want to be totally honest with you, I wish I
24 had known what to look for in those documents.
25 I had no idea that -- that something that I

1 perceived as art was -- was -- is what it is.

2 So going on to the next picture, the
3 window sills. So the windows sills, and this
4 was painful to the pocket book, were removed
5 because structural required us to remove all of
6 the frames for the window and reinforce rebar.

7 In a later meeting that we had with Dona
8 and Kara we learned that we could have applied
9 for a special exemption and possibly not have
10 had to do this, but we didn't know about that
11 until after it was done.

12 So when the sills were removed, it was
13 never with any intent of removing them. I
14 didn't even realize -- again, this is one of
15 those items that no one knew what to look for.
16 So they were removed in that process. We did
17 have a review for historic of the windows
18 during that process. So, again, we thought we
19 were doing things correctly and we thought --
20 we didn't know that we had done it wrong until
21 the final walk-through when both of these items
22 were identified.

23 So, again, this is the before and after of
24 the home. Again, I am bias, but I think it's
25 beautiful. So you're able to see, again, the

1 historic features that were retained. I very
2 much feel that this is true to the Board's
3 objective of preserving and restoring the
4 historical integrity of our neighborhood.
5 That's it.

6 MR. MENENDEZ: Kara, do you have anything
7 to add? ElizaBeth, are you there?

8 Is there anyone in the audience who would
9 like to speak in favor of this case?

10 MS. KAUTZ: I'm sorry, I was on mute.

11 Can I ask the homeowner to stop sharing
12 the screen so that we can --

13 MS. KATHRINA SALADRIGAS: Oh, I'm sorry.

14 MS. KAUTZ: It's okay. Just to see who is
15 speaking.

16 MS. KATHRINA SALADRIGAS: Here we go.

17 MR. JORGE SALADRIGAS: I did receive
18 notification from somebody that had driven by
19 the house who was in the waiting room that
20 wanted to speak on behalf of the property. I
21 don't know if you guys can let her in.

22 MS. KAUTZ: When we open the public
23 hearing, we will do that.

24 MR. JORGE SALADRIGAS: Thank you.

25 MS. KAUTZ: I did let her in.

1 So I'm bringing this to the Board only
2 because, you know, there are character-defining
3 features of the property when we did the final
4 inspection and the features are missing. I
5 can't approve the inspection. I can't. The
6 house -- they've done a beautiful job. It was
7 in very bad shape when it was purchased, but
8 I'm leaving this to the Board because they are
9 applying for ad valorem tax for this property
10 as well.

11 MR. MENENDEZ: Okay.

12 Let's open it up to public discussion. Is
13 there anyone who would like to speak in favor
14 of this case?

15 MS. HENRIQUES: Hi, this is Kimmie
16 Henriques. I would like to speak in favor of
17 the improvement.

18 MR. MENENDEZ: Have you been sworn in?

19 MS. HENRIQUES: No, sir.

20 MR. URQUIA: She has to be on camera.

21 MS. KAUTZ: Are you able to be on camera?

22 MS. HENRIQUES: Yes, momentarily. Yes, I
23 can stop. I can pull over to the side of the
24 road. If you could, give me just a second.

25 MR. URQUIA: You only need to be sworn in

1 if you're on camera. If you choose not to be
2 on camera, you don't need to be sworn in and
3 you don't have to pull over.

4 MS. HENRIQUES: I can pull over. It's no
5 problem. Thank you for being patient, I
6 apologize. Okay, I'm going to start my video
7 feed.

8 (Thereupon, Ms. Henriques was duly sworn.)

9 MR. MENENDEZ: Go ahead.

10 MS. HENRIQUES: I'm speaking in favor of
11 the improvements for the historical property.

12 MR. MENENDEZ: Okay.

13 MS. HENRIQUES: They've done an incredible
14 job beautifying the space. Like it was
15 mentioned before, it was in a terrible
16 condition prior to purchase and they have done
17 an incredible job with it, especially right
18 there in front of the park. It's no longer an
19 eyesore.

20 MR. MENENDEZ: Do you have anything else
21 to add?

22 MS. HENRIQUES: No, Your Honor. Thank
23 you.

24 MR. MENENDEZ: Thank you.

25 Is there anyone else who would like to

1 speak in favor of this case? Okay.

2 MR. URQUIA: Apparently Ms. Joli is
3 raising her hand.

4 MS. MAYRA JOLI: Again, when a young
5 couple decide to, you know, have their future
6 starting in Coral Gables and they respect the
7 essence and the fabric of Coral Gables and they
8 go around and it looks like they did a
9 beautiful job and a lot of work and so we have
10 to support them. We have to show that Coral
11 Gables -- that's what Coral Gables is and when
12 people want to beautify what we have without
13 destroying it, without disrespecting what we
14 have, that's when we have to rally behind them
15 and just be there. And, you know, you guys, I
16 thank you because it's not only, you know, all
17 the older people who are wanting to preserve
18 the history. When we see you guys and we see
19 that you are so beautifully putting together
20 your home, we love that. I don't know why
21 that's so difficult for others to understand.
22 All right. Good job. Good job. I don't have
23 to tell you good job.

24 MS. KATHRINA SALADRIGAS: Thank you.

25 MR. MENENDEZ: Thank you.

1 MS. MAYRA JOLI: Beautiful, beautiful.

2 MR. MENENDEZ: Thank you. Anyone else who
3 would like to speak in favor or opposition of
4 this case?

5 Nobody? Okay. I'm going to close the
6 public comment and open it up for discussion
7 here on the Board.

8 I have a question for the owner.

9 MS. KATHRINA SALADRIGAS: Yes, sir.

10 MR. MENENDEZ: It says here that the City
11 engineer required you to remove the sills. Do
12 you have any documentation on that from him?

13 MS. KATHRINA SALADRIGAS: We have
14 documentation that he required the space to be
15 reinforced. In terms of what's involved in
16 construction to reinforce the space of a
17 window, I would need to research that for you.
18 I don't know the specifics.

19 MR. JORGE SALADRIGAS: Actually I can
20 speak a little bit more to that. The
21 permitting process on these plans took about
22 one year. Part of that was actually a lot of
23 structural revisions to the plan. In the
24 original, original plans it was not -- it was
25 not intended to -- and I don't know exactly

1 what the structural engineering terms are, but
2 basically we had to cut out columns on the side
3 of each window.

4 MS. KATHRINA SALADRIGAS: To put steel.

5 MR. JORGE SALADRIGAS: And we have photos
6 of that. Then we had to reinforce the sides of
7 the windows and the bottom and the top with
8 rebar. In the original, original structural
9 plans that was not the case and then through
10 the revision process, it was -- we were
11 required to go ahead and do that and that's
12 when the sills were removed. In one of the
13 revisions that it was determined that we had to
14 reinforce the windows, that's when the sills
15 were removed and they were just never put back.

16 MS. KATHRINA SALADRIGAS: The gentleman
17 that was overseeing the structural piece was
18 named Darius (phonetic) --

19 MR. JORGE SALADRIGAS: Redcheck?

20 MS. KATHRINA SALADRIGAS: I don't know his
21 last name.

22 MR. MENENDEZ: But, again, you have no
23 documentation that says he required that?

24 MR. JORGE SALADRIGAS: Well, the
25 structural plans, the approved structural

1 plans, the architectural plans indicate that
2 needed to happen.

3 MR. DURANA: However, I think it's like a
4 means and method because what he's showing, if
5 you look at Picture 3 of Page 3 of 6, it
6 says -- I understand what they're saying. Like
7 as a contractor, you can't, you know, do that
8 fill and do the sill of the window without that
9 piece coming off.

10 MR. MENENDEZ: But you can put it back in.

11 MR. DURANA: Depends on the condition of
12 it. I mean, it could crumble. Remember, it's
13 not structural.

14 MR. MENENDEZ: In this day and age you can
15 do anything. I mean, one thing is to remove
16 it. Another thing is to get permission to
17 remove it. You know, if this went through a
18 process of a year, it had to go to the Board of
19 Architects. It had to go back to, you know,
20 historic. You know, I don't know what
21 happened.

22 MR. DURANA: I know. But to me, from
23 them -- if you look at it from their side, it's
24 structural contradicting historic in what to do
25 to reinforce the windows.

1 MS. KAUTZ: Right, when people -- when
2 this does come up and we normally note that the
3 existing sills are to remain when we do window
4 drawings, and there are ways that you can fill
5 from the inside of the sill, you know,
6 whatever, we always -- they always have to come
7 back. It's always a statement that's made. If
8 the sills are removed, they have to be
9 returned.

10 MR. MENENDEZ: My issue is that this was
11 approved by this Board with those conditions
12 and those conditions were not met and, you
13 know, that's what we're here for.

14 MR. RODRIGUEZ: May I ask a question?

15 MR. MENENDEZ: Go ahead, Raul.

16 MR. RODRIGUEZ: Were there specific
17 instructions in the approval by the Board that
18 those sills had to remain?

19 MS. KAUTZ: No, because they were shown on
20 the existing and proposed drawings. So it was
21 never an assumption that they were to be
22 removed.

23 MR. RODRIGUEZ: The owners were not aware
24 that there was a condition that they had to
25 remain other than the fact they were on the

1 drawings, which later we found out they had to
2 be removed because structural was telling them
3 to remove them in order to retrofit the
4 windows. That's my understanding of the case
5 or the facts.

6 MR. MENENDEZ: The installation of the new
7 windows required them because of the wind
8 restriction requirements of the code to be
9 fully concrete reinforced all the way around in
10 which would allow them to pour the sill along
11 with the bottom section of that surround. So
12 there's no reason that couldn't have been done
13 and I think the contractor just didn't do it.

14 Ms. Rolando.

15 MS. ROLANDO: I'm less troubled by the
16 missing urn and the modifications of the
17 brackets, but I'm very disturbed by the removal
18 of the sills and not replacing them or
19 reinstalling them.

20 As John Fullerton mentioned, it's standard
21 procedure if you have to remove a sill, it can
22 be reinstalled or replaced as part of the
23 process of installing the windows. So I have a
24 problem with the modification.

25 I agree that the homeowner did a gorgeous

1 job, but the sills here are part of the
2 fenestration on the facades. It's a critical
3 architectural feature.

4 MR. DURANA: What about the block that you
5 removed to do the fill sills? I mean, you're
6 removing parts of the house. I have a soft
7 spot for this because I feel for them because
8 it's not an easy task to do this and there's so
9 many components in this house that they did
10 maintain. I mean, we're kind of knocking them
11 on three items out of probably 100 items, you
12 know.

13 MS. ROLANDO: Yeah, but the windows are a
14 distinctive feature.

15 MR. RODRIGUEZ: They are also in the back
16 not to be seen by anyone.

17 MR. MENENDEZ: Again, the drawings were
18 approved with the sills in place. If there's
19 an issue, then it has to be taken up and it has
20 to be brought back. It's not selective as to
21 what I want to do or what I can do or what is
22 cheaper than -- you know, that's not the issue.

23 The issue is that they left the Board of
24 Architects and left this Board with those sills
25 in place and those sills are gone now.

1 MR. FULLERTON: How many sills are we
2 talking about? Just the ones in front or all
3 around the house?

4 MR. MENENDEZ: I'm not sure.

5 MS. KAUTZ: Around the whole house.

6 MR. MENENDEZ: The entire house.

7 MS. ROLANDO: There's a lot of windows.

8 MR. GARCIA-PONS: Mr. Chair, I have a
9 question for Staff.

10 MR. MENENDEZ: Go ahead.

11 MR. GARCIA-PONS: Kara, can you clarify
12 that interim review of the window and the
13 intent of what you're inclined to approve
14 comment was about?

15 MS. KAUTZ: Yes. So the windows were
16 suppose to be clear view with no tint, no film.
17 When they were installed, they are tinted and
18 so when we looked at them initially during the
19 install, the picture that they showed with the
20 sills, when we gave the approval for the
21 windows, it was for the actual window with the
22 tint as installed. It had nothing to do with
23 the window sills.

24 MR. GARCIA-PONS: And a follow up to that
25 question is did you -- how clear is that? Was

1 that in writing? Is there a way that the
2 applicant misunderstood about the sills? I
3 understand I'm sure it's --

4 MS. KAUTZ: I don't know.

5 MR. GARCIA-PONS: -- not entirely clear,
6 but if you have any recollection.

7 MS. KAUTZ: I don't know.

8 MR. DURANA: Do we have any original
9 blueprint or photos of the house that showed
10 the sills after it was built from the original
11 plans because maybe they might have been added
12 at some point because the photo I see prior to
13 construction seems like a fairly recent
14 picture.

15 MS. KAUTZ: No, they're on the windows.
16 They're on the original plans.

17 MR. DURANA: The what?

18 MS. KAUTZ: The window sills are on the
19 original plans.

20 MR. GARCIA-PONS: They're original,
21 Xavier.

22 MS. ROLANDO: On Page 3 you can -- you can
23 see the sills on Page 3 of the report.

24 MR. MENENDEZ: Yes, and if you look on the
25 original drawings, they're drawn on the

1 original drawings.

2 MR. DURANA: Where do you see the drawings
3 of the original, like the original blueprints
4 or --

5 MR. MENENDEZ: I'm saying the drawings
6 that were submitted --

7 MR. DURANA: Oh, yeah, the recent ones.

8 MR. MENENDEZ: -- they have the sills. So
9 they were either existing to remain or new.

10 MS. KAUTZ: I think they're on the Power
11 Point that the Saladrigas put up. They're on
12 the original plans for the house.

13 MR. JORGE SALADRIGAS: Guys, we will weigh
14 in here. Yes, the sills are in the original
15 blueprints. The urn and the plinth are not.
16 The sills are.

17 MS. KATHRINA SALADRIGAS: Yes.

18 MR. MENENDEZ: I've got a problem with the
19 removal of the sills. I mean, if there's a
20 letter from the structural engineer of the City
21 saying they need to be removed, that's one
22 thing, but there's no documentation.

23 MS. KATHRINA SALADRIGAS: Is there a way
24 that I can check the City permitting still? I
25 know that during the permitting process there

1 was a way for us to see the notes. So if you
2 all would direct me on where I can go, I can
3 look it up while we are on the call because
4 again it was an expensive proposition. We
5 didn't volunteer to do it. It was required of
6 us.

7 MR. JORGE SALADRIGAS: Yeah, having to
8 reinforce those windows cost us about an extra
9 \$55,000 throughout the whole house. So it was
10 not something that we would have done had we
11 not been asked to. And, again, you're asking
12 for a letter but the fact that the plans were
13 approved the way they were is a clear
14 indication that the sills needed to be removed
15 for the windows to be reinforced.

16 MR. MENENDEZ: Well, no, you're stating
17 here that you were told by the City engineer
18 that they needed to be removed. That's why I'm
19 asking.

20 MS. KATHRINA SALADRIGAS: The openings.

21 MR. JORGE SALADRIGAS: The plans indicate
22 that they needed to be removed in order to be
23 reinforce with rebar and concrete.

24 MR. MENENDEZ: Well, the drawings that I
25 see here show -- you know, show the sills in

1 place.

2 MR. GARCIA-PONS: Mr. Chair, I think he
3 means the shop drawings for the windows, but I
4 think the conversation is regardless of the
5 change that was required, it was a -- it's a
6 defining feature of the house and with that
7 change, it was incumbent upon you to come back
8 to this Board and/or the Board of Architects to
9 express the change so that we could review it
10 and approve it.

11 In this particular case I agree with
12 Mr. Fullerton that you could have poured the
13 sill with that beam at the time and it would
14 have just been part of that solution and it
15 wouldn't have made a big difference. Now,
16 after the fact, it's probably going to be a
17 little bit harder to do.

18 MR. MENENDEZ: It will be more expensive
19 to do.

20 MR. FULLERTON: And having said what I
21 said, I believe it's unfortunate that it has
22 been done the way it was done, but I'm not sure
23 if it's the fault of the owner in any way. And
24 they've done so much work on that house, I go
25 by about three times a day and it's a wonderful

1 job of restoration including the idea that the
2 sills are gone.

3 MR. MENENDEZ: No doubt that this is a
4 beautiful restoration.

5 MR. FULLERTON: Right.

6 MR. MENENDEZ: Without a doubt.

7 MR. FULLERTON: I tend to be a little more
8 circumspect on it.

9 MR. MENENDEZ: It just bothers me that,
10 again, we run across a project where we approve
11 something and something else is done and then
12 it comes back to us for us to approve the
13 change that we didn't approve in the first
14 place.

15 MR. RODRIGUEZ: This was a mistake. It's
16 a mistake that was made and they've done such a
17 beautiful job restoring the rest of the
18 property. I think it calls for us to be more
19 reasonable in interpreting what has been done
20 and give credit where credit is due for the
21 work that was done on that house.

22 MS. KATHRINA SALADRIGAS: Thank you.

23 MR. MENENDEZ: Well, you have a valid
24 point. They're also asking for an ad valorem
25 tax exemption on the property as well.

1 MR. DURANA: I have a question for Staff.
2 So, if the homeowners agreed to put back -- or,
3 you know, to put a sill to replicate the
4 original, does that still allow them to get the
5 ad tax valorem or would they be disqualified
6 from that because it's not technically the
7 original?

8 MS. KAUTZ: No, it does not disqualify
9 them. If something is removed, it's to be
10 replaced in time. So it would go back as the
11 same type as this one.

12 MR. DURANA: I will say, then, put the
13 sills back and, you know, I think that's the
14 right thing to do.

15 MR. MENENDEZ: Yes, that's what I'm
16 thinking.

17 MR. DURANA: What I understood was
18 different, that they were going to get
19 disqualified for the tax valorem because they
20 didn't have the sills and now there is no way
21 for them to -- because I think they've put a
22 lot of work in. They've put a lot of money in.
23 They did a great job. So, you know, just take
24 that extra step and put the sills in and I
25 think --

1 MR. MENENDEZ: I think that would be a
2 great compromise because, again, we don't want
3 to penalize the homeowner.

4 MR. DURANA: Correct.

5 MR. MENENDEZ: In fact, we want to give
6 credit because it's such a beautiful job and
7 everything was done beautifully.

8 MR. FULLERTON: Can we do a compromise
9 that it includes these sills on just the front
10 facade?

11 MR. MENENDEZ: Kara, did you hear what
12 Mr. Fullerton just said?

13 MS. KAUTZ: About just doing it on the
14 front?

15 MR. FULLERTON: Yes, just the front
16 facade.

17 MS. KAUTZ: That would not be my
18 recommendation.

19 MS. ROLANDO: Say what? I didn't hear
20 you, Kara.

21 MS. KAUTZ: That would not be my
22 recommendation.

23 MR. EHRENHAFT: Can I also interject and
24 ask a question?

25 MR. MENENDEZ: Go ahead, Mr. Ehrenhaft.

1 MR. EHRENHAFT: If that suggestion were
2 pursued, then that means, what, that the top
3 poured sill below the installed window would
4 have to be cut out, sills would have to be
5 reinstalled or if you tried to put a sill in,
6 the window size would not be the same.

7 MR. FULLERTON: No, I think there is a way
8 to --

9 MR. DURANA: Yeah, you can attach a sill.

10 MR. FULLERTON: There are ways to make
11 that attachment with steel and a gunite type of
12 concrete, which is very high strength.

13 MR. DURANA: They can do it. They can do
14 it.

15 MR. EHRENHAFT: Well, in that case, I feel
16 that that should be done, but I agree with
17 Kara, I think that it should be done at each
18 opening at each fenestration all the way around
19 the house because it's a major
20 character-defining element for the
21 architectural style.

22 MS. KAUTZ: I would like to point out that
23 Warren Adams is actually the one who is going
24 to have to sign off on the ad valorem request.
25 There's a signature page within the request as

1 the historic preservation officer you have to
2 sign off that the project meets the standards.
3 So if there is a question about sills just on
4 the front or throughout the house, I would
5 direct that towards him if he's on.

6 MR. WARREN ADAMS: Yes, I'm here.

7 MS. KAUTZ: Do you have an issue with that
8 or do you think that's a good idea or --

9 MR. WARREN ADAMS: My main thing in
10 starting here is making sure that things are
11 done consistently and I agree that the property
12 owners have done a fantastic job.

13 My question is are you requesting actual
14 sills or are you requesting some sort of fossil
15 that just looks as if the sill is there and
16 that may be simpler, but perhaps not the most
17 appropriate option? Are you requesting that
18 actual concrete sills be reinstalled or is
19 there an option to install something that
20 resembles sills? And, again, I do not know if
21 anything like that has been done in the past
22 here.

23 MS. KAUTZ: No, normally they're
24 protruding stucco or concrete sills.

25 MR. GARCIA-PONS: Mr. Chair.

1 MR. MENENDEZ: Yes, go ahead.

2 MR. GARCIA-PONS: Warran, I think there's
3 two questions. One is through whatever means
4 and methods are figured out by the contractor
5 and Staff, if the final result is a sill that
6 looks and feels like a sill that were part of
7 the house on all of the windows, would that
8 meet the criteria for them to keep the ad
9 valorem taxes?

10 And part two of that is if the same thing
11 is done for just the windows in the front and
12 not the side or rear, would that meet the
13 criteria for ad valorem windows?

14 MR. WARREN ADAMS: Strictly speaking, the
15 ad valorem is for the restoration and it's
16 really up to the Board as to what determines a
17 restoration and it may be possible to remove an
18 element for the sills from the ad valorem
19 request possibly. But really the ad valorem is
20 really for the restoration of a building, a
21 Board approved restoration of a building.

22 So if the Board were to approve the
23 replacement of the sills because it meets the
24 criteria, I believe it will be eligible for the
25 ad valorem.

1 MR. GARCIA-PONS: Thank you. That's, I
2 would imagine, for the entire house. What if
3 the Board decides to just do it for the front
4 facade, would that mean the same thing?
5 Warran?

6 MR. WARREN ADAMS: If the Board felt that
7 was appropriate and I have seen it done in the
8 past, again, I am new here so I am not -- I
9 would like to keep things consistent here. And
10 if that has not been done in the past, then I
11 don't think we should do it now, but if it has
12 been, then if the Board feels that the
13 replacement sills on the front only are
14 appropriate, then I believe it would meet the
15 criteria.

16 MR. GARCIA-PONS: Great. Thank you,
17 Warran. It sounds like it's up to us.

18 MR. MENENDEZ: What about the other two
19 items on the list?

20 MR. GARCIA-PONS: Mr. Chair, I agree with
21 Peggy. I'm okay with focusing on the sills.

22 MR. MENENDEZ: Okay. Peggy, you're okay
23 with that?

24 MS. ROLANDO: Yes, I am. Let me think how
25 to move this. Let me just talk out loud to

1 see -- what I'm thinking is that we approve the
2 modification that deleted the urn and the
3 changes to the brackets and we deny approval of
4 the removal of the sills and ask that the
5 homeowner work with Staff to come up with an
6 application for the sills around the perimeter
7 of the home that would be -- it would replicate
8 the appearance of the sills, but not
9 necessarily be a replacement of the sills.

10 MR. GARCIA-PONS: I would second that
11 motion.

12 MR. DURANA: And that's for the perimeter
13 of the house of just the front?

14 MS. ROLANDO: The perimeter.

15 MR. MENENDEZ: Okay. Can we have roll,
16 please?

17 MS. KAUTZ: Let me just clarify one thing.
18 The brackets were not up for consideration as
19 part of this application. We had already
20 worked that out with the owners. So it's just
21 the urn and the sills.

22 MS. ROLANDO: Okay.

23 MR. MENENDEZ: Okay.

24 MS. KAUTZ: Do you want to amend the
25 motion accordingly?

1 MS. ROLANDO: Yes. So delete the approval
2 of the brackets as they've already been
3 settled.

4 MR. GARCIA-PONS: I agree.

5 MR. JORGE SALADRIGAS: Excuse me. We'd
6 like to make one quick comment and I will
7 double check this. I will communicate with
8 historical as well, but I believe we do have
9 pictures from preconstruction where there were
10 no sills installed on the sides of the home.
11 It was only the front faced.

12 I believe we have some preconstruction
13 photos. I think. I'm not 100 percent sure
14 about that. So that is something I would have
15 to verify.

16 MS. ROLANDO: I'm going by what is in the
17 drawings and in the drawings the sills are
18 depicted. That's why I'm saying that they
19 should be replicated for the perimeter.

20 MR. FULLERTON: Can we have it in the
21 motion that it would apply to the windows that
22 actually can be shown to have sills, rather
23 than all the sills -- all the windows?

24 MS. ROLANDO: Right. If there were
25 windows that on the original drawings, the

1 original as-built that did not have sills, then
2 it would not be necessary to replicate.

3 But to the extent that the original
4 drawings and as-built conditions prior to the
5 restoration had sills, those sills need to be
6 replicated.

7 MR. GARCIA-PONS: I agree to that amended
8 motion.

9 MR. RODRIGUEZ: Is there a motion?

10 MR. MENENDEZ: We have a motion. We have
11 a second by Vice-Chair Garcia-Pons.

12 Can we have a roll, please?

13 MS. KAUTZ: Ms. Rolando?

14 MS. ROLANDO: Yes.

15 MS. KAUTZ: Mr. Garcia-Pons?

16 MR. GARCIA-PONS: Yes.

17 MS. KAUTZ: Mr. Ehrenhaft?

18 MR. EHRENHAFT: Yes.

19 MS. KAUTZ: Mr. Rodriguez?

20 MR. RODRIGUEZ: Yes.

21 MS. KAUTZ: Mr. Fullerton?

22 MR. FULLERTON: Yes.

23 MS. KAUTZ: Mr. Menendez?

24 MR. MENENDEZ: Yes.

25 MS. KAUTZ: Mr. Durana?

1 MR. DURANA: Yes.

2 MS. KAUTZ: Ms. Bache-Wiig?

3 MS. BACHE-WIIG: Yes.

4 MS. KAUTZ: Thank you.

5 MS. KATHRINA SALADRIGAS: May I ask a
6 question? After this meeting, we should call
7 historic? Is that my understanding?

8 MS. ROLANDO: Yes.

9 MS. KATHRINA SALADRIGAS: Thank you.

10 MR. MENENDEZ: Thank you.

11 Our next case is Art in Public Places Fee
12 Waiver. An application for a waiver of the Art
13 in Public Places Fee, in accordance with
14 Section 3-2103 (B)(3) of the City of Coral
15 Gables Zoning Code for the property located at
16 2901 Ponce de Leon Boulevard, a Local Historic
17 Landmark, legally described at Tract E of Plaza
18 Coral Gables, according to the plat thereof, as
19 recorded in Plat Book 173 at Page 78 of the
20 Public Records of Miami-Dade County, Florida.
21 The applicant is requesting a recommendation of
22 approval to waive the Art in Public Places Fee
23 requirement providing for the restoration of
24 the historic resource in an amount equal to or
25 greater than the amount of the Art in Public

1 Places Fee that otherwise would be required.

2 MS. KAUTZ: Thank you. CGTV can pull up
3 the Power Point for this item.

4 MS. GUIN: And can someone tell Dona to
5 come back into the chambers?

6 MS. KAUTZ: And Alicia, I believe, needs
7 to excuse herself from the meeting.

8 MS. BACHE-WIIG: Mr. Menendez,
9 Chairperson, I need to excuse myself from the
10 meeting at 5:30.

11 MR. MENENDEZ: Okay.

12 MS. BACHE-WIIG: Thank you.

13 MR. MENENDEZ: Does Staff have a
14 presentation?

15 MS. KAUTZ: Yes. Can CGTV please pull up
16 the Power Point for this item.

17 MR. CARLOS BECKMANN: If possible, I can
18 also share if you give me sharing abilities.

19 MS. KAUTZ: Not yet. Give me a second.
20 CGTV can you pull it up?

21 Not you. Hold on. You need to wait a
22 second. Carlos, can you wait?

23 MR. CARLOS BECKMANN: Sure.

24 MS. KAUTZ: I need CGTV to pull up my
25 Power Point, please.

1 Wrong one. That's not the right one.

2 There you go. Last item, please. Next.

3 Next. Next. There you go. Next slide. Thank
4 you.

5 This is the location map of the property.
6 You can see it sits -- it was on its own block.
7 It's now sort of incorporated into the new
8 plaza development site.

9 Next slide.

10 And I just wanted to show you guys a 40's
11 photo of the property. This is how it looked
12 in the 1940's. This is the earliest photo that
13 we actually do have of the property oddly. So
14 I just wanted to make sure you guys had seen
15 it.

16 So, in 1925, Permit No. 1246 was issued to
17 construct this building. It was signed by
18 Phineas Paist. It was one of the first
19 constructed in the Craft Section. It was known
20 as the Arts Center Building built for the Coral
21 Gables Corporation and it actually has the
22 offices of Phineas Paist, who was the artistic
23 director for the City. So lots of important
24 things came through this building.

25 Section 3-2103 (A) of the Coral Gables

1 Zoning Code entitled, "Art in Public Places
2 Fund Requirements, favors and exemptions"
3 establishes the City's Art acquisition fund and
4 sets forth developer requirements for
5 contributions into that fund.

6 We have on the call Catherine Cathers the
7 art specialist, the arts and cultural
8 specialist for the City, who I'm going to have
9 explain to you this waiver process before we
10 get started. So if you can take the Power
11 Point down and I will let Catherine up.

12 MS. CATHERINE CATHERS: Good afternoon.
13 This is my first time seeing you all presenting
14 to the Historic Preservation Board. So it's
15 lovely to be here and lovely to see one of our
16 public places pieces in my background and in a
17 couple of the peoples' background here. So
18 that's really exciting.

19 This process is very familiar with our Art
20 in Public Places, our arts advisory panel and
21 our cultural development board, but I do
22 understand that is one that is new for this
23 particular board. As Kara mentioned, there is
24 an exemption requirement for developers that
25 has -- this will be the first time that's being

1 taken advantage of.

2 So, as Kara mentioned, this is part of our
3 code for our Art in Public Places program. Any
4 development project that has an aggregate
5 construction value over \$1 million needs to set
6 aside one percent of that and either put it in
7 our Art in Public Places Fund or they can
8 commission artwork. They can purchase artwork
9 and put it on their property. They can
10 commission or purchase artwork and donate it to
11 the City. They can also put that one percent
12 towards the preservation of a historic
13 building.

14 You have the materials in front of you,
15 but the particular -- and it's listed in our
16 code as a waiver request. It's not -- just to
17 be clear, it's not really a waiver. What
18 they're doing is putting those funds towards
19 art and in this particular case, it would be a
20 historic preservation. So the waiver request
21 is specifically to cause the purchase,
22 designation, restoration or perpetual
23 maintenance of historically significant
24 buildings in an amount equal to or greater than
25 the amount of the Art in Public Places fee that

1 otherwise would be required.

2 So this particular -- and that goes on to
3 say that this requirement is to submit a
4 request to the City Commission for approval
5 with a recommendation of the Historic
6 Preservation Board if they are seeking this
7 waiver as well as a recommendation of Staff.
8 So that is why this is coming to you today.

9 The project has already -- they have had a
10 lot of funding to go towards art, which has
11 been fabulous and then they have done that.
12 They have had three public art pieces already
13 approved. So a big chunk of their funding is
14 already going towards the purchase and also the
15 commission of new artwork that will be placed
16 on the development property and this last piece
17 of it will get close to -- if not exceed what
18 they have left of their budgeted amount.

19 So, Kara, if there is anything that you
20 think I left out, let me know. Otherwise, I
21 think we can turn it over to Carlos.

22 MS. KAUTZ: Sure.

23 MR. CARLOS BECKMANN: Good afternoon,
24 everybody. I'm Carlos Beckmann on behalf of
25 Agave. I'm presenting the idea of this

1 monumental task.

2 MS. KAUTZ: Carlos, we need to get you
3 sworn in.

4 MR. CARLOS BECKMANN: Oh, sure.

5 (Thereupon, Carlos Beckmann was duly
6 sworn.)

7 MR. CARLOS BECKMANN: Again, I will try to
8 be brief, I know being last, you know, on the
9 agenda with my presentation. I think the Arts
10 building, it's very well known. I just don't
11 know how the modification done by previous
12 owners, you know, especially windows -- seems
13 like today is window day mainly -- but that has
14 significantly altered the facade.

15 This building is going to sit in the
16 middle of one acre open to the public garden
17 and what we call The Plaza. The name for the
18 development, "The Plaza" really comes from this
19 garden that really sits across the Ponce Circle
20 Park and facing Ponce de Leon.

21 So this house, historic building being
22 right in the middle, obviously it's important
23 to us because it sits right in the center of
24 the development and the historic significance
25 of it -- the story behind it and obviously the

1 look is all important because it's going to be
2 surrounded by open-air plazas, very pedestrian
3 friendly open-air terraces, outdoor dining day
4 and night.

5 So we've been looking -- this has been
6 going on for four, five years and it's started
7 as a very ambitious complete restoration.
8 Obviously that -- we do not have the time or
9 the money to do that so we have scaled it down
10 to the scope that I'm presenting today, which
11 is mostly basically doing exterior facade
12 restoration to the original design, getting rid
13 of the impact windows that were installed
14 covering open-air corridors and changing the
15 overall look.

16 I wouldn't be here if it wasn't for Dona
17 and Kara and, you know, Catherine. They
18 obviously have interest in the building. They
19 love this building and we think it's worth the
20 effort of going ahead and getting the services
21 of Gurri Matute as the architect to really
22 create the set of drawings that we need to
23 basically change windows and restore the facade
24 to its former glory.

25 I present real quickly some of the

1 drawings that will show you the scope that we
2 are envisioning. You guys can see it, right?
3 Yes.

4 What we're proposing includes the paint,
5 the cement plaster, and removal and
6 installation of more appropriate windows and in
7 the area of the patio facing on the north side
8 of the south wing, the demolition of the glass
9 enclosures at the three levels in order to
10 restore to the original open-air corridors and
11 balconies.

12 On the north wing, in order to restore the
13 north facing original tall windows, we are
14 proposing the removal of the -- we call it an
15 improperly added mezzanine. What happened
16 there is the previous owner tried to eliminate
17 the double height ground floor space and add
18 more interior square footage basically for the
19 building so they added a mezzanine level
20 cutting through those windows and turning them
21 into, you know, a weird layout, especially from
22 the interior, but also from the exterior
23 those -- the windows are segmented and then,
24 you know, they really do not look appropriate.

25 This is the only part of the interior work

1 that is tied to this scope. Obviously, as part
2 of the development of the project and the whole
3 area, we will have to spend significant amount
4 of money restoring the interior and making it
5 appropriate so that it's -- it can be used, but
6 we are not -- this is really not part of this
7 scope. It's completely separate.

8 At one point we were looking at
9 mechanical -- you know, getting rid of these
10 exterior condenser units for air conditioning
11 and transformers and all that. That has all
12 been deleted. We are going to do that as part
13 of the development. So this is not part of
14 this scope today and other smaller items that
15 are included in the scope. It's not limited,
16 but overall some columns at the roof entrance
17 that were added with some bad low-quality cast
18 stone that is actually falling apart, new entry
19 steps, some minor roofing improvements.
20 Basically repairs and the repairs of the new
21 columns and I don't know how much time you want
22 me to go through the budget, but all of the
23 information was presented there.

24 These are estimates. We have done a
25 request for proposal that was put together by

1 Gurri Matute and we have received three
2 proposals from three general contractors. What
3 we have done here, we have put the number of
4 the middle one. We have not selected any
5 general contractor. We have not moved forward
6 with any architectural drawings until we hear
7 back from this group of this evening, but
8 wanted to give you preliminary numbers.

9 Obviously everything would be done open
10 book, you know, it's shared public records that
11 we share that with the City. And I wanted to
12 make clear that any overhead, profit, other
13 things that, you know, that would normally go
14 to Agave as an owner or as a developer are not
15 included here. We're not going to do that. We
16 do not intend to generate any revenue or make
17 any money out of this.

18 Let me show you the drawings. This is a
19 floor plan and it really shows one of the major
20 items of what I was talking about, the
21 exterior -- what at one point were exterior
22 corridors and on the upper floor balconies they
23 had been enclosed by a massive glass wall that
24 obviously gains air conditioned square footage.
25 That was obviously the intent by the previous

1 owners.

2 And right now I think the aesthetics have
3 been compromised to such degree that I think
4 it's worth sacrifice for a useable square
5 footage, but just going back to the original
6 design. That patio that you see in the middle
7 right here, that's one of the cores of the
8 whole plaza and we want to really have a very
9 nice area there with a nice tree inside that
10 patio and to the east of this, we have
11 another -- we have a Michelle Oka Doner art
12 piece with a specimen tree, lanterns, two
13 lights. So this is really one of the areas,
14 the cozy areas that, you know, we think are so
15 important to the concept of The Plaza and
16 having those open-air balconies again restored
17 on the original design.

18 This is the same. This is Level 2.
19 Again, this would be one of those corridors
20 from the higher floors. So it repeats it on
21 this side. And that's Level 3.

22 Right now I'm showing the north elevation.
23 This is where the mezzanine floor was added to
24 the first floor here. Where the arrows are
25 pointing now, that's where the new mezzanine

1 floor is going. Therefore, these windows are
2 segregated now into an upper weird shape, that
3 window at the top and another rectangular at
4 the lower point.

5 The intent is to remove the mezzanine
6 floor, restore that ground floor to the double
7 height that it originally had been more airy
8 and all that and then having these
9 fenestrations really on the vertical just as
10 the original -- I will show you the pictures in
11 a minute and I think you will probably
12 (inaudible)

13 These are just the other elevations.
14 Nothing to be done here other than some minor
15 stucco repairs, cracks, et cetera and paint.

16 This is the west facade like kind of --
17 it's at an angle. No, this is the east facade,
18 sorry. And this is a view of the interior side
19 of the patio with the left is the north face of
20 the south wing and you can see all that glass
21 with some cheap or everyday average aluminum
22 white windows. It's not what a historic
23 building or a typical Coral Gables significant
24 building should look like. That's the bulk of
25 the scope that we want to take all that glass

1 down and return that to original
2 balconies/corridors.

3 This is obviously the cut section. If you
4 can pay a little bit of attention to the left,
5 Section A, this is the one that shows the
6 3/4ths of the south wing. Those arches to the
7 right on the north facade of this picture,
8 that's the area that will now be open air and
9 we really think that if this building ends up
10 being an art gallery, or something like that,
11 because that's the intent, it's still to be
12 determined together by developer, owner and the
13 City manager, but I think that's the intent for
14 the upper floors. I think those open-air
15 corridors will provide a great vantage point in
16 just a place to go out and enjoy the view and
17 watch all the people.

18 Just more views of the rotunda inside.
19 We're not doing all that. The fountain, we
20 have not included major work on the fountain
21 here because we have already considered that.
22 We are doing that any way. This fountain will
23 be facing, again, the Michelle Oka Doner art
24 piece and the specimen tree. So the fountain
25 is going there regardless.

1 Now we go back to the pictures. So this
2 is the current state of the building. Again,
3 these windows -- the windows all need to be
4 replaced and the lower ones here in this
5 gallery in the main room, they need to be
6 replaced to the original configuration.

7 I apologize for the quality. These are
8 the original drawings that we could find, but
9 if I zoom a little, I think you can see. These
10 are the original sized windows, the proportions
11 of those. The idea is to go back to that. If
12 we move forward, the Board today decides to
13 move forward, obviously our architect will
14 prepare all these drawings before we start any
15 construction.

16 This is a view of the interior, that
17 ground floor space that was the welcome center
18 and the main space opened up, you know, for
19 this Art Center building and you can see the
20 added mezzanine, all that woodwork and those
21 columns that basically should be eliminated to
22 go back to the original floor plan. That's
23 this space that I'm showing you right here on
24 the original drawings.

25 This is just one more. Again, this is the

1 east facade. The one that's going to be facing
2 the plaza area that I was talking about. I'm
3 looking at the building where from the Michelle
4 Oka Doner piece and bench and tree. And this
5 is the south facade that really gives us a
6 little bit of a heartache and we really
7 think -- like I said before, I'm repeating
8 myself so I will bring that down.

9 I just want to show you -- again, I
10 apologize for the quality of this and it's
11 probably showing even worse on your screens,
12 but you can see a little bit of the idea here
13 where it had a wooden handrail, some columns
14 and these are the all open here, here and here.
15 You have the arch on the ground floor. This is
16 all facing the open patio and that patio will
17 join at the same elevation of the extended
18 plaza and all the commercial pasos and all the
19 access to the north, central and south park.

20 That's basically it. I think I'm ready to
21 answer any questions. I apologize for -- this
22 is the first time I present this. I don't
23 have -- I didn't know the process exactly and I
24 don't know -- I don't have a lot of people that
25 will probably come and speak up and vote for

1 it, but we can do this again if needed.

2 MR. MENENDEZ: Thank you.

3 Kara, do you have anything to add?

4 MS. KAUTZ: Yes. This is our first
5 application too for the use of this waiver.
6 Again, it's a really special building to the
7 City and the history of the City. So I just
8 wanted to reiterate that, you know, they are
9 seeking to restore aspects of the building that
10 have been altered over time and bring it back
11 kind of closer to what it was originally
12 intended to be.

13 We initially had questions about their
14 removal of the interior of the second floor
15 space because it is interior, but because it
16 impacts the exterior and it's a positive change
17 on the exterior, we ultimately decided that it
18 was a worthwhile expense to be included and
19 just so that you know, they did not go to the
20 trouble -- like he said, the expense and
21 trouble of preparing architectural drawings, of
22 having all that done just yet because this is
23 the first time the waiver has been asked for.
24 So wanting to get the approval process started,
25 you know, before they went through that expense

1 and efforts to do those drawings.

2 So as included in your packet as he stated
3 are the Gurri Matute proposals. So those
4 drawings that are prepared by Gurri Matute will
5 come back to either this office or the Board.
6 Typically restoration work doesn't need to go
7 back to the Board. We handle that
8 administratively, but if you guys would like to
9 see their whole scope, we can certainly bring
10 it back to you as a special COA, but those
11 drawings will come back to us for review.

12 So you are not actually right now
13 approving every little detail of every -- you
14 know, of every nuance knowing that that will
15 get worked out and brought back. I just want
16 to make that really clear.

17 MS. CATHERINE CATHERS: And also, sorry
18 Kara, if I may.

19 MS. KAUTZ: Go ahead.

20 MS. CATHERINE CATHERS: Just to add to
21 that. When we do the waiver request for public
22 art, it is always based on a concept proposal.
23 So the final drawings go through regular
24 permitting process like anything else, but the
25 concept drawings are what go forward for the

1 item.

2 MR. MENENDEZ: Okay.

3 MS. ROLANDO: Kara, are we approving a
4 specific dollar amount for waiver or -- because
5 it sounds like we don't know the exact scope of
6 the work. So are we approving the waiver up to
7 a dollar amount or are we doing a blank check?
8 I'm a little confused exactly what it is that
9 we are being asked to approve.

10 MS. CATHERINE CATHERS: May I answer? Do
11 you want me to answer?

12 MS. KAUTZ: Of course. Of course.

13 MS. CATHERINE CATHERS: So basically
14 you're approving a waiver of doing the
15 restoration work in lieu of the funding amount.
16 So when we put forward the item to the
17 Commission, it's that recommendation to approve
18 the waiver request. Part of that item includes
19 a draft budget and our closeout documentation
20 for the developers is an itemization that
21 includes receipts for everything that's been
22 done. For the artwork in this case it would be
23 for the restoration. So there's an
24 accountability on the back end of the project
25 where we match the fees and make sure that

1 everything has been applied and is accounted
2 for.

3 MS. ROLANDO: So the restoration possibly
4 of the windows following removal of that
5 mezzanine level would be included in the cost?

6 MS. CATHERINE CATHERS: Yes.

7 MS. KAUTZ: Yes.

8 MS. SPAIN: And I think -- I don't whether
9 I just didn't hear, but this is in lieu of
10 doing artwork. They have a ton of artwork on
11 the site. So it's not like they're not doing
12 artwork, but a portion of that they're putting
13 towards -- of their responsibility for it,
14 they're putting towards restoring this
15 building.

16 MS. ROLANDO: And I remember back when the
17 proposal came to us a number of years ago the
18 building was in pretty bad shape.

19 MS. SPAIN: It was in bad shape then. I
20 have to tell you, I'm absolutely thrilled about
21 these windows because I did the final
22 inspection on the windows that are there now
23 and they're horrible. You know, but it was on
24 the plans that way and I went there and they
25 did what the plans said and I approved it and I

1 thought, oh my gosh, this is not really
2 appropriate for it. You know, the
3 configuration was not appropriate. But,
4 anyhow, I'm thrilled it's going back to what it
5 was originally. It's a really nice project. I
6 mean, I hadn't seen the drawings, but I'm
7 really happy with what they are doing on this
8 building.

9 MR. MENENDEZ: Mr. Garcia-Pons.

10 MR. GARCIA-PONS: Thank you, Mr. Chair.

11 A question for Staff, Ms. Cathers. I'm
12 actually very excited that I learned something
13 new today that this is an option. I think this
14 is a great option as far as the waiver, the way
15 to expend the fees associated with that.

16 My question, I think, specifically is how
17 is the equivalency calculated if the fee is to
18 be one percent of the construction? I'm not
19 sure what one percent is in this project or how
20 that's been calculated.

21 MS. CATHERINE CATHERS: So at the time the
22 developers apply for their permits they have to
23 submit what we call a project value application
24 and that is a notarized document that says what
25 the aggregate cost of the construction is. So

1 it's both hard and soft costs and that's, like
2 I said, a notarized document and that gives us
3 the value that we determine what that
4 one percent is based on.

5 So, in the case of The Plaza, their
6 original project value application came in at a
7 value of \$410 million, meaning they had
8 approximately 4 million to spend on art or in
9 this case including the preservation.

10 So, like we said, they've been spending
11 that down through the three art projects that
12 they've already had approved by the Commission
13 and this we anticipate will be the last piece
14 of it.

15 MR. GARCIA-PONS: Thank you. That wasn't
16 entirely clear to me that it was based on the
17 entirety of the project and that this was the
18 expenditure -- the entire expenditure of this
19 improvement is part of the one percent.

20 MS. CATHERINE CATHERS: Right, yes.

21 MR. GARCIA-PONS: Thank you.

22 MR. MENENDEZ: Let me open this up to the
23 public to see if anybody in the public would
24 like to speak in favor of this case.

25 Anybody --

1 MS. KAUTZ: I'm sorry. Ms. Joli, it looks
2 like she's raising her hand. Give me one
3 second. If you can unmute.

4 MS. MAYRA JOLI: If I understand
5 correctly, so now Agave is asking for a waiver
6 of the one percent and I know half of that one
7 percent is going to historic fund and the other
8 one is Art in Public Places. So if that's the
9 one percent of the cost of the construction of
10 the project, or whatever, so one percent will
11 be 4 million and then now to restore that
12 section there it's going to take about
13 1 million or something? I don't think it's
14 fair that Agave is asking to cut costs in the
15 building. I hope it's not -- in the building
16 that's sitting right in the craft. So if
17 Agave -- if the owner could spend 510 million
18 on this project, I don't think they should
19 spare any expenses on preserving the building
20 that was there when they got in it.

21 So I don't think that this is a place
22 where they have to cut corners and try to say
23 one point something million dollars to restore
24 is too much. No, it's not too much because
25 you're going to make the residents proud of

1 being -- of having The Plaza in the Craft
2 Section is what it says, right?

3 So don't come now asking for a waiver of
4 the one percent for the Art in Public Places.
5 You should be doing both, restoring it to the
6 satisfaction of the essence of the building and
7 on top of that, adding to the one percent of
8 the construction in the Art in Public Places.

9 That's why we are in this predicament with
10 the residents because things like this. We
11 don't understand it. Apparently, I'm the only
12 one who is right here and even if the residents
13 were here today, they will not understand what
14 we are talking about. The only reason I know
15 is because I went through a whole list of
16 investigation about this Art in Public Places.

17 So, Agave, you got into it, you pay for
18 it. We don't want to hear that now you want a
19 waiver. And I hope that you guys give the same
20 hard time that you give the prior couple who
21 were there trying to get whatever waiver ad
22 valorem they needed. Thank you.

23 MR. MENENDEZ: Thank you.

24 Is there anyone else in the audience who
25 would like to speak in favor or opposition of

1 this case?

2 Okay. I'm going to close the public
3 hearing portion and open it up to the Board
4 members.

5 MR. GARCIA-PONS: Mr. Chair, I have one
6 question for the applicant, Mr. Beckmann,
7 perhaps, or Staff.

8 Is there anything in the development
9 agreement with regards to the overall original
10 approval that requires the renovation of this
11 building?

12 MR. CARLOS BECKMANN: Yes, absolutely.
13 There is a lot of language regarding the
14 historic house, but obviously we are not in any
15 obligation to restore it to something that --
16 to its original state from 100 years ago or
17 90-something years ago. That's why we have
18 spent the time to go through this process and
19 like we stated before, more than \$3 million and
20 change have been dedicated to be spend on art
21 in the plaza already and we figured, by the
22 way, the budgeted amount for this work is
23 \$1 million. That's not -- the \$1 million is
24 not coming entirely from the Art in Public
25 Places fund, that's only a portion. We will

1 put the difference.

2 But if as a group it's not approved, we do
3 not -- the waiver doesn't proceed, you know, we
4 will definitely paint the building or, you
5 know, do something, you know, that makes it
6 look better, but going through a full
7 restoration will not be done.

8 MR. GARCIA-PONS: Thank you.

9 And for Staff, is that as you recollected
10 as well that they're not required to as part of
11 a development order to make a renovation of the
12 project?

13 MS. CATHERINE CATHERS: That's my
14 recollection.

15 MS. KAUTZ: I don't think there is any
16 requirement that they have to do anything above
17 and beyond maintaining the building. We did
18 require them to do historic building survey
19 drawings at the onset of the project in an
20 abundance of caution in case anything happens
21 to the building while they were constructing
22 around it. But from what I understand, there
23 is nothing that requires them to do anything
24 more than maintain the building.

25 MS. SPAIN: That's my recollection also.

1 MR. GARCIA-PONS: Thank you.

2 MS. SPAIN: Other than to maintain it. So
3 the fact that they are actually willing to put
4 in the appropriate windows and bring it back to
5 the look that it was without the mezzanine I
6 think it's a very good thing.

7 MR. MENENDEZ: So Agave initiated this
8 project on their own?

9 MS. SPAIN: Yes, they could easily have
10 just maintained the building the way it was and
11 put everything into art.

12 MR. MENENDEZ: So basically they came
13 forward with the idea of restoring the building
14 and putting it to use and letting people use
15 it?

16 MS. SPAIN: That's my understanding.
17 There is language in the development agreement
18 for the use of the building and I think the
19 City has some say in that, but I don't remember
20 there being language -- I could be wrong, but I
21 don't remember there being language about
22 restoring it.

23 MR. FULLERTON: Reality has to set in
24 here. This is a 400 and some-odd million
25 dollar project. Of course they were going to

1 do something with this building. They're not
2 going to let it sit there empty. They can't
3 rent it without restoring or doing something to
4 it.

5 So obviously there was something in their
6 budget to bring it up to a status that equals
7 the rest of the development, which is
8 spectacular. I don't buy the idea that they
9 just weren't going to do anything but now they
10 are because they don't want to put the money
11 into the art.

12 MS. SPAIN: But there's no legal
13 requirement for them to do it.

14 MR. FULLERTON: I understand. I
15 understand.

16 MS. SPAIN: I mean, it's to their benefit
17 to do it because it's a wonderful project.

18 MR. MENENDEZ: No, this just enhances
19 their project.

20 MS. SPAIN: Right.

21 MR. MENENDEZ: It's a win-win for both.

22 MR. FULLERTON: Absolutely.

23 MS. KAUTZ: So this building, when Ralph
24 Sanchez had the development, had the property,
25 they went through -- George Fernandez was the

1 architect. They did work on the building.
2 They did that mezzanine in the picture that he
3 showed. They created that. They did
4 structural work. They added an elevator. So
5 it's not as if it's in terrible shape. You
6 could actually leave it in place and still use
7 the building. So they're actually doing
8 restorative work.

9 MR. FULLERTON: I got the impression from
10 the beginning of the presentation that there
11 were parts of the building that were in very
12 bad shape. I think it might have been close to
13 the actual words.

14 MS. SPAIN: I know there was a concern
15 when George Hernandez was working on it, the
16 back wall, the wall of the courtyard where all
17 of those windows were, they were very concerned
18 about it collapsing then and so they did work
19 on that wall back there, but I don't know, you
20 know, the state of it now.

21 MR. DURANA: I can't believe the City
22 approved the project and didn't require them to
23 restore this building. I mean, I kind of agree
24 with the lady that was speaking that, I mean,
25 why -- you're talking about a \$500 million

1 project and they're getting everything they
2 want and they didn't have to restore the
3 building? I mean, I understand that I don't
4 want to shoot myself in the foot and, you
5 know --

6 MS. SPAIN: I agree with you.

7 MR. DURANA: It does sound a little unfair
8 when we gave all these people a hard time for
9 not putting the sills in their windows and
10 then, you know, we're letting these people,
11 which they have the funds to do it -- you know,
12 I mean, it's only going to improve their value
13 of their project. I just -- I don't know.

14 MS. SPAIN: I'm just saying I don't think
15 we can require them to do it legally.

16 MR. DURANA: No. Well, the City could --

17 MS. SPAIN: Initially they could have.

18 MR. DURANA: Initially, yes.

19 MS. SPAIN: And probably should have.

20 MR. DURANA: Yes.

21 MS. SPAIN: I think at this point I'm
22 happy that they are doing it now.

23 MR. MENENDEZ: Do we have a motion?

24 MS. SPAIN: I will make a motion.

25 MR. RODRIGUEZ: Before we go into a

1 motion--

2 MS. SPAIN: I have to --

3 MS. KAUTZ: I think Mr. Rodriguez is
4 trying to speak before you make a motion.

5 MS. SPAIN: Okay. I can second it.

6 MS. KAUTZ: There is no motion yet.

7 MR. MENENDEZ: Raul, go ahead.

8 MR. RODRIGUEZ: Now I forgot the question.
9 In the agreement with Agave for the use of the
10 building, are there any conditions as to what
11 the building could be used for or how it's --

12 MS. SPAIN: I believe there are.

13 MR. RODRIGUEZ: Or what uses it can be put
14 to?

15 MS. SPAIN: It's been so long ago since I
16 read that development agreement, but I think
17 there are restrictions.

18 MS. ROLANDO: Why don't we ask the City
19 attorney.

20 MS. SPAIN: Is the City attorney still on?
21 Is Gus still on? I think that the development
22 agreement, the City is part of the approval on
23 the use of the building.

24 MR. RODRIGUEZ: May I complete my concern,
25 please?

1 There are several questions of a legal
2 nature about the arrangement with the City and
3 Agave for the building and the improvement of
4 the building which have been asked and current
5 Staff does not have an answer. Could we ask
6 the City attorney to provide an answer and if
7 he doesn't have it, to come back and let us
8 know what the answers are?

9 MR. CARLOS BECKMANN: If I may, there is
10 very specific language about the historic
11 house, a lot of concerns were originally had
12 because the original plan before it got changed
13 and amended included subterranean parking and
14 all that. All that was eliminated so the work
15 really was not at the edge of the property.
16 All that work was spared and the integrity of
17 the building obviously was not in question
18 anymore.

19 The specific language in the development
20 agreement says that the use is commercial and
21 to be finally determined by Agave jointly with
22 the City manager. Not the Commission, not
23 anybody else but the City manager. That's how
24 it reads.

25 So anybody -- I mean, it's obviously

1 there. If you guys want to read the
2 development agreement, it covers a lot of other
3 things like a \$2 million contribution by Agave
4 to the park, another 1.7, \$2.7 million
5 contribution for potentially additional art and
6 \$2.3 million for the trolley and so forth.

7 So I do recommend that people learn about
8 the development agreement before coming to
9 conclusions, that a lot of things were received
10 as a gift or free and that there is a ton of
11 funding behind it.

12 MR. FULLERTON: Can I ask another question
13 about ad valorem tax abatement relative to this
14 restoration? Do they receive those benefits
15 and to what extent do they affect the whole
16 cost of it?

17 MS. KAUTZ: They have not applied for ad
18 valorem.

19 MR. FULLERTON: I didn't hear you.

20 MR. GARCIA-PONS: Can you repeat that,
21 Kara?

22 MS. KAUTZ: They have not applied for ad
23 valorem tax abatement.

24 MR. RODRIGUEZ: Are they eligible to
25 apply?

1 MR. FULLERTON: I didn't hear what anybody
2 said.

3 MS. KAUTZ: I didn't answer.

4 They probably -- well, it depends. They
5 probably would be eligible to apply, but I
6 don't think it would be appropriate in this
7 case. I would have to look into that only
8 because it would be giving them a reward for
9 something that they're required to do, not
10 required but they're asking to do it in lieu of
11 a requirement.

12 MR. RODRIGUEZ: Well, I would like to hear
13 from the legal department on this issue. We've
14 raised several questions now of a legal nature
15 dealing with the relationship between the City
16 and Agave and all we hear are we think and, you
17 know, this is what the case is, it's up to the
18 City manager. If that's the case, I think we
19 should know that officially.

20 MR. GUS CEBALLOS: I'm attempting to pull
21 up the development agreement. I was not here
22 when the development agreement was drafted. I
23 was not privy to those conversations. So I do
24 not have the development agreement, nor have I
25 reviewed it before. So I cannot provide any

1 sort of a legal interpretation in regards to
2 it. I can, for the next meeting if that needs
3 to be deferred, but I'm attempting to pull the
4 latest version that I have available to me to
5 review it and if I can find anything, I will be
6 more than glad to provide any answers that I
7 can.

8 MR. RODRIGUEZ: Because what we're
9 basically being asked to do is to approve their
10 portion of the money set aside for Art in
11 Public Places to be used for the renovation,
12 restoration, upgrading and other uses of this
13 building that will be go down ultimately to the
14 owner of the building as a commercial entity as
15 opposed to being used for another piece of Art
16 in Public Places. Ms. Cathers, am I correct in
17 my assumption?

18 MS. CATHERINE CATHERS: Yes, that's
19 correct.

20 MR. MENENDEZ: Ms. Rolando?

21 MS. ROLANDO: I think what we are really
22 concerned about is there like double dipping.
23 So I am not comfortable making a decision
24 without knowing what's in the development
25 agreement. I remember reading that the

1 development agreement had been heavily
2 negotiated, there were -- the developer gave a
3 lot of concessions.

4 So I think with the acquiescence of this
5 Board maybe what we should do is defer it until
6 our next meeting, allow the City attorney and
7 this Board to review the applicable provisions
8 in the development agreement so that we can
9 make an informed decision.

10 MR. MENENDEZ: Do you want to make a
11 motion?

12 MS. ROLANDO: I would move to defer this
13 item to the next meeting to allow the Board and
14 City attorney and Staff to review the
15 requirements for the restoration of the
16 historic building at the plaza development.

17 MR. RODRIGUEZ: If I may, Peggy, I will
18 second your motion if you're willing to amend
19 it to make sure that we have a report from the
20 legal staff on the status of the questions that
21 have been raised at the meeting.

22 MS. ROLANDO: Raul, could you repeat that?
23 I couldn't hear your last couple of sentences.

24 MR. RODRIGUEZ: I would be glad to second
25 your motion if you were to amend it to include

1 a provision that the City attorney would look
2 at the questions that were raised here by
3 certain members and would have answers to those
4 questions in its report back to the Board at
5 the next meeting.

6 MS. ROLANDO: I accept that amendment and
7 appreciate it.

8 MR. RODRIGUEZ: I second the motion.

9 MR. MENENDEZ: We have a first and a
10 second. Can we read the roll?

11 MS. KAUTZ: I think Gus had a question
12 about --

13 MR. GUS CEBALLOS: It's not necessarily a
14 question, but from the latest version that I
15 can see of the development agreement, the Arts
16 Center building as they refer to it at 2901
17 Ponce has a very limited provision. I don't
18 know if Agave can chime in on this. It is not
19 by any stretch of the imagination a long-winded
20 section that provides, you know, in regards to
21 how the property is going to be redeveloped or
22 repaired. I can literally read it into the
23 record. It is relatively short.

24 It basically refers to the property as of
25 great public importance and its adapted reuse

1 is a critical component over the project's
2 overall success. It shouldn't be overly
3 commercialized. Owner/City agree that proposed
4 use of the Arts Center should celebrate its
5 role in -- it's important role in civic
6 planning and architectural history. The
7 building will be used and managed in accordance
8 with the City code governing historic
9 resources, that the use is basically the
10 parties have to come to a mutual intent for the
11 proposed uses.

12 I guess it's mostly intended to be art
13 gallery, art school, museums, things of that
14 nature, design studios. But it doesn't speak
15 to the level of restoration, at least not from
16 the version that I have here in Legistar. I
17 don't know if Agave can chime in on whether
18 this has been renewed.

19 Once again, it's well within your right if
20 you wish to defer it and we can do some further
21 research, that's fine. But just from my quick
22 review of what is available to me, it's very
23 limited and I do not believe it is going to
24 address a significant portion of your
25 questions, if that makes sense.

1 MS. SPAIN: But if this is going to be
2 deferred, can you look to see what entity has
3 the approval of the use of that building, what
4 entity in the City?

5 MR. GUS CEBALLOS: Sure.

6 MS. SPAIN: Is it the City manager and is
7 that laid out in that development agreement? I
8 don't know, I wasn't part of the development
9 agreement when I was the preservation officer.

10 MR. RODRIGUEZ: We have a motion that is
11 on the table and you will have time to come
12 back with an answer for the next meeting. I am
13 uncomfortable making a decision on this without
14 having a clearer view of what we are deciding.

15 MS. KAUTZ: I will call the roll.

16 Mr. Durana?

17 MR. DURANA: Are we taking roll or --

18 MR. GARCIA-PONS: Mr. Chair, we can have
19 discussion before calling the roll. We have a
20 motion and a second.

21 MR. MENENDEZ: Oh, yes.

22 MR. FULLERTON: No, I was just saying that
23 we should go ahead -- I guess it really depends
24 in my mind how this building is going to be
25 used. If it's there to be used by the public

1 and monitored and overseen by the developer
2 instead of as a profit center for the
3 developer, it might make a whole different
4 conversation. I think that could be taken up
5 next meeting.

6 MR. GUS CEBALLOS: Once again, you're
7 welcome to defer it, but if I may provide some
8 more input just in regards to the procedure,
9 it's specifically spelled out in the
10 development agreement, owner will petition the
11 City for approval on the initial and future
12 proposed uses and/or tenants of the Arts Center
13 building. Owner agrees not to propose uses
14 that are prohibited and not permitted by Zoning
15 code. The City manager will review the
16 petition and the recommendation of the historic
17 resource officer along with applicable zoning
18 code provisions and project approvals and in
19 his or her sole discretion will choose to
20 either approve, deny or recommend modification
21 to the petition or make a written
22 recommendation to the City Commission for its
23 consideration and action on the petition. In
24 making a decision, the City manager will
25 consider the high quality uses as well as

1 shaping the beauty of the City.

2 So I think that at least that particular
3 question can be answered. It's the City
4 manager's sole discretion with the
5 recommendation of the historic preservation
6 officer.

7 MR. MENENDEZ: We have a motion on the
8 table. Kara, could you read the roll? Are you
9 ready?

10 MR. GARCIA-PONS: Kara, if we can have
11 further discussion, if you don't mind.

12 MR. MENENDEZ: What further discussion do
13 you need?

14 MR. GARCIA-PONS: I just want to say that
15 I am satisfied with what the attorney has just
16 said. I believe he's addressed this particular
17 Board and I'm amenable to vote on this item
18 after this particular call is taken.

19 MS. SPAIN: And I would also like to
20 comment on the zoning code itself, the intent.
21 There is -- if the owner -- if it's an owner of
22 a historic building, even if it's a
23 money-making venture to have the restoration of
24 the building be able to qualify for public art,
25 it isn't about them profiting on this. It's

1 just about wanting to restore the historic
2 building. So if you have a project going on
3 and they have a certain percentage that the
4 code requires them to use for art, they've got
5 a historic building on the site, they should be
6 able to use that money to restore the building.

7 MR. FULLERTON: I think that's a very
8 cogent argument in their favor if that can be
9 counted as part of the art.

10 MS. SPAIN: Right, because it's the
11 exterior of the building that you look at and
12 that's why I thought it was interesting that
13 Kara was saying even though it's the interior
14 because it affects the exterior of the building
15 that they would consider that part of the
16 exterior art of the historic building.

17 MR. DURANA: But then what about then
18 removing that part from the proposal, the cost
19 of the work? I mean, we shouldn't allow them
20 to use money for inside of the building for
21 outside -- you know, stuff that is designated
22 for the outside. I mean, I'm fine with like
23 maybe a happy median, like maybe they don't get
24 the full one million and they get -- you know,
25 you remove that portion of the scope of the

1 work. I mean, I just think it's a valuable
2 property. We live in a great city. We should
3 not bend over backwards for, you know, people
4 that are going -- you know, I understand -- you
5 know, I just don't think we should bend over
6 backwards. It's a good property. They
7 technically should be doing both. I mean, if I
8 were purchasing this property and developing
9 it, I would have thought restoring this
10 building is a no-brainer and donating to the
11 artwork is kind of a no-brainer also.

12 MR. FULLERTON: I'm wondering if anybody
13 else did it that wasn't developing a huge
14 project around it was to buy this building and
15 go through the restoration and then be
16 approached by the City and say, now you owe
17 this much for Art in Public Places, because
18 based on the fact that you restored and brought
19 the building back to original quality, is that
20 the way it would be treated if it was some
21 normal person who just bought it?

22 MS. SPAIN: Actually I didn't hear what
23 you said. I'm having trouble over here because
24 I'm old.

25 MR. FULLERTON: If I bought the

1 building --

2 MS. SPAIN: Yes.

3 MR. FULLERTON: -- and went through the
4 process with the City of restoring the building
5 and getting all of these approvals and so forth
6 and came back to you and said, I want the --
7 and the City comes to me and says, you owe one
8 percent of what you spent on the building for
9 Art in Public Places, would I be responsible
10 for that or --

11 MS. SPAIN: Catherine can answer this
12 better, but I think it needs to be done at the
13 time of the permit. I don't think it can be
14 after the fact.

15 MR. FULLERTON: No, I understand that,
16 too.

17 MS. CATHERINE CATHERS: Correct.

18 MR. FULLERTON: But would the process
19 include me having to pay for Art in Public
20 Places on top of restoring the building?
21 That's not a developer having a big project
22 around the project -- around the building.

23 MR. GARCIA-PONS: Mr. Chair, the way that
24 I understand this, and of course Staff can
25 clarify, is in order to have to pay the Art in

1 Public Places fee, you must have a property
2 over a million dollars and then the fee would
3 be one percent.

4 MR. FULLERTON: Correct.

5 MR. GARCIA-PONS: So one percent of a
6 million would be 100,000.

7 MR. FULLERTON: No.

8 MR. RODRIGUEZ: It would be 10,000.

9 MR. FULLERTON: That's 10 percent.

10 MR. RODRIGUEZ: It would be 10,000.

11 MR. GARCIA-PONS: So it's less than. So
12 it's a small number. So the reason that this
13 works is because the multi-million dollar that
14 they can have the million dollars to do this.
15 So what you're saying is if you just had this
16 building, one percent would be \$10,000. It
17 would not be equitable to do the whole
18 building. It's a different scale.

19 MR. DURANA: But what if you did remodel
20 that building and you said, okay, I don't want
21 to pay the one percent. I already remodeled
22 this building. It's still the same thing. I
23 mean, you're saving the one percent.

24 MR. GARCIA-PONS: Right which is, again,
25 \$10,000.

1 MR. DURANA: Okay, but it's still \$10,000.
2 It can go to Art in Public Places. I mean --

3 MR. MENENDEZ: There seems to be a lot of
4 questions here, but I would like to get through
5 this motion first and then we can see where
6 that leaves us.

7 MR. DURANA: And I think honestly the
8 \$10,000 makes even it more a reason. If it's
9 \$10,000 of someone, you know, building a
10 one million dollar building, imagine when
11 you're doing a \$500 million building. It
12 should be -- a million dollars should be
13 peanuts to them. You know, the same way we're
14 just missing \$10,000.

15 MR. MENENDEZ: Okay.

16 Kara, can you proceed, please?

17 MS. KAUTZ: All right. So motion was to
18 defer. Mr. Durana?

19 MR. DURANA: The motion for deferment?

20 MS. KAUTZ: Yes.

21 MR. DURANA: Yes.

22 MS. KAUTZ: Mr. Ehrenhaft?

23 MR. RODRIGUEZ: He's on mute.

24 MR. EHRENHAFT: Yes.

25 MS. KAUTZ: Mr. Rodriguez?

1 MR. RODRIGUEZ: Yes.

2 MS. KAUTZ: Ms. Spain?

3 MS. SPAIN: No.

4 MS. KAUTZ: Mr. Fullerton?

5 MR. FULLERTON: Yes.

6 MS. KAUTZ: Ms. Rolando?

7 MS. ROLANDO: Yes.

8 MS. KAUTZ: Mr. Menendez?

9 MR. MENENDEZ: Yes.

10 MS. KAUTZ: Mr. Garcia-Pons?

11 MR. GARCIA-PONS: No.

12 MS. KAUTZ: Motion passes.

13 MS. ROLANDO: What I would like to see for

14 our next meeting is the excerpts from the

15 agreement regarding the art building and we're

16 putting the City attorney on the spot asking

17 him for an interpretation of an agreement that

18 typically is very lengthy. Let him have the

19 opportunity to examine the agreement and get

20 back with us with an interpretation.

21 MR. MENENDEZ: Okay. Thank you.

22 MR. DURANA: I have a question for the

23 City attorney. So let's say we were to have

24 approved this today, who would this go to next,

25 just the City manager that determines this or

1 does it go to the Commission or how does that
2 work?

3 MS. KAUTZ: It goes to the City
4 Commission.

5 MR. DURANA: It goes to the City
6 Commission for approval. So even if we did
7 approve, they can technically reject it?

8 MR. GUS CEBALLOS: That is correct.

9 MR. MENENDEZ: Are there any items or
10 updates, Kara?

11 MS. KAUTZ: I don't think I have any
12 unless you guys would like a full introduction
13 from Warran or you can wait to the beginning of
14 the next meeting, whatever you wish.

15 MR. MENENDEZ: You guys would like an
16 introduction, no?

17 MS. SPAIN: Sure.

18 MS. KAUTZ: Warran? Wait, we can't hear
19 you.

20 MR. WARREN ADAMS: I have been here for
21 about four weeks now. I am still learning the
22 processes and the various ways things are done
23 here, but I'm very happy to be here. I think
24 Coral Gables is one of the shining lights in
25 Florida and the entire country with a solid

1 preservation program that has the support of
2 the proper owners and the City and I think this
3 is a dream position for anybody to be in.

4 So if any of you have any questions for me
5 or if you want to know anything about my
6 background then, you know, please feel free to
7 ask me.

8 MR. MENENDEZ: Anything from the Board
9 members?

10 MR. GARCIA-PONS: So, welcome, Warran, to
11 the City of Coral Gables.

12 MR. WARREN ADAMS: Thank you.

13 MS. SPAIN: Good luck.

14 MR. WARREN ADAMS: Thank you.

15 MR. MENENDEZ: When can we meet you in
16 person?

17 MR. WARREN ADAMS: As soon as possible. I
18 can attend the next meeting if the Board would
19 like that if it's an in-person meeting. I can
20 certainly be there for the next one.

21 MR. MENENDEZ: That would be great. Thank
22 you.

23 MR. RODRIGUEZ: Mr. Chairman, may I ask a
24 question?

25 MR. MENENDEZ: Go ahead.

1 MR. RODRIGUEZ: When is our next meeting?
2 And the elections are coming up. I know that
3 our term ends at some point. Is this Board as
4 presently constituted going to sit at the next
5 meeting?

6 MS. KAUTZ: Your next meeting is on April
7 the --

8 MS. SPAIN: The 21st. April 21st.

9 MS. KAUTZ: Yes, it's on the 21st. So
10 what happens is you all will stay in place
11 until you are not. So you continue to serve
12 until reappointments are made.

13 MR. MENENDEZ: Kara, any discussion items,
14 old business or new business?

15 MS. KAUTZ: No, just giving you an update
16 that the Fink studio is moving along. The
17 restoration and the renovation of the Fink
18 studio is moving along nicely and I think
19 Catherine is still on, maybe not.

20 They illuminated Coral Gables this past
21 weekend. It was lovely. I hope you guys had a
22 chance to see it. Our own building was
23 illuminated, City Hall, and many other
24 buildings.

25 City Hall is getting a new roof right now.

1 MS. SPAIN: I was wondering about that.
2 Scaffolding is all over it.

3 MS. KAUTZ: Yes, and they're doing it top
4 to bottom, all the roofs so that's great and I
5 can't think of anything else that I have to
6 tell you.

7 MR. EHRENHAFT: Mr. Chair, may I interject
8 and ask a question?

9 MR. MENENDEZ: Go ahead, Mr. Ehrenhaft.

10 MR. EHRENHAFT: I would like to return to
11 the question that faced us with the 936 Castile
12 property and I'm wondering whether it can be
13 made a matter of routine for any properties
14 that are before the Board that the applicant be
15 specifically warned that no features from a
16 property shall be removed, especially ones that
17 are of historic character or character defining
18 by the architect unless it's special explicitly
19 discussed and approved by the Board.

20 MR. RODRIGUEZ: That's a good idea.

21 MR. EHRENHAFT: I don't know how to
22 prevent these kinds of situations where when it
23 gets down to the contractor executing
24 something, things go sideways and I think -- I
25 don't know if there's a way that that can be

1 done so it just becomes routine and it's like a
2 blanket thing that binds the applicant and it's
3 on them then to seek exceptions. Does that
4 make sense? I may not be explaining myself
5 well.

6 MR. RODRIGUEZ: I think it's a very good
7 idea. This issue has come before us so many
8 different times. It would be useful for them
9 to have a checklist of what must be done or not
10 done, rather than just leave it to a situation
11 like we have now.

12 MS. KAUTZ: Right. So there's two issues
13 in play here. The first one is that the
14 certificate of appropriateness that was proved
15 in 2015. So it was just six years ago. And
16 you probably, I am sure, have noticed that when
17 we do special certificates, you know now and
18 lately and starting, you know, three, four
19 years ago there are 10, 12 conditions at
20 approval as opposed to this one was approved
21 with no conditions because the drawings were --
22 you know, showed everything to stay and
23 everything was good. You know, we can
24 certainly add conditions that spell out
25 specific things that we need to see retained.

1 We do it on -- we do it when we review now the
2 shop drawings for windows. We would tell the
3 people, that they have to have high-profile
4 windows. Now we stamp the plans that say with
5 a stamp that has that note so it's clear, no
6 clear view muntins, high profile muntins must
7 be part of the application and we won't approve
8 it at the end if they're not. We have people
9 go and put back on their drawings existing
10 sills to remain, existing architectural feature
11 to remain because window people removes stuff
12 and we make sure everything is drawn and shown
13 on the shop drawing and the drawings to know
14 they are there and they are to remain. So we
15 are addressing that that way. I'm happy to add
16 more language because it can't hurt.

17 The second part of that is that we can
18 write everything we want on drawings over and
19 over again and the contractor doesn't do it.

20 MS. SPAIN: Maybe there's a stamp that
21 says -- maybe there's another stamp. I mean, I
22 did the high-profile windows stamp. I came in
23 and gave it to the Board of Architects and
24 said, listen -- but maybe there's another stamp
25 that says any deviations -- any removal of a

1 historic feature of this project will need
2 approval from the Historic Preservation Board,
3 because that's what gets them because they have
4 to wait to get back to the Board. You know,
5 it's one thing to have Staff be able to
6 administratively approve them, which we never
7 did it and I know Kara is not doing, but if
8 they know that they have to -- it will hold up
9 the project because they will have to go back
10 to this Board, you know, in a month, maybe they
11 won't do it. I don't know. I don't know what
12 to tell you.

13 MR. DURANA: Those homeowners, you can
14 tell they wanted to fix the house. I don't
15 think they took the sills down maliciously. I
16 think that was an accident or oversight. I
17 mean, you know, I see -- sometimes you walk a
18 job site and you don't even notice those
19 things. You know, it's a construction site and
20 there's so many things catching your eye.

21 One thing I will say is like maybe we can
22 do something like we force the homeowner and
23 contractor to have a kick-off meeting or
24 something with like historic where you kind of
25 say, hey, these are really important items,

1 because I don't think the homeowner -- if they
2 would have known we were going to be so serious
3 about sills, I guarantee that lady would have
4 been there saying, hey, do not touch these
5 things. You know, like I think -- you know,
6 honestly I felt bad for them in the sense
7 because I think they were trying to do the
8 right thing. They just don't see it
9 architectural the same way. You know, they're
10 not trained in architecture so they don't
11 realize it that, hey, it's just a window sill,
12 what's the big deal. And I think if it was
13 brought up to them at the beginning that hey
14 this is really --

15 MS. ROLANDO: I think that is a brilliant
16 idea having a kick-off meeting where the owner
17 is there and the contractor.

18 MR. DURANA: And you just say, this is
19 extremely important, you don't understand, you
20 will not pass your final inspection if this is
21 not, you know, how this is. Because I think
22 people are just kind of -- you know, they may
23 not just notice it. To us, you know, we catch
24 it. It's like when you walk into the house and
25 it's under construction or design and you see

1 certain things and you're like, Oh, man, I
2 can't believe they let that slide, but to other
3 people, you know, it looks fine.

4 MS. ROLANDO: I don't think that was
5 malicious or intentional. I just think -- and
6 it would have been so easy --

7 MR. DURANA: Exactly.

8 MS. ROLANDO: -- when the installation of
9 the window and redoing the surrounds, to do the
10 sill.

11 MR. FULLERTON: For the contractor, its
12 complicated. It is not a really easy thing to
13 press -- you know, put something on a board
14 and, you know, go out of the building and then
15 back in. So he says, let's just not do that,
16 nobody will notice.

17 MR. DURANA: But I think where they messed
18 up even more is they could have put back sills.
19 You know, they could have done them with
20 stucco. That's why I'm saying I think they
21 missed it because it's not that hard -- you
22 know, one thing is, you know, you're trying to
23 form a window and it falls off and breaks, you
24 know some things happen, but for them not to
25 put them back, I think they totally missed it.

1 I mean, I think somebody there just didn't
2 notice it. It was probably the stucco
3 subcontractor just went there and stuccoed the
4 house and nobody caught it and it just kept
5 going and going and going and, you know.

6 MR. FULLERTON: Can I ask a probably very
7 relatively unimportant question but maybe it's
8 part of the system of getting our meetings
9 going? When you ask for ex-parte, you know,
10 admitting ex-parte stuff, I don't think driving
11 by the house is ex-parte.

12 MS. ROLANDO: No, it's due diligence.

13 MR. FULLERTON: Exactly right. I don't
14 think we have to say -- I felt for Raul, who
15 was the only one that said, well, I drove by
16 and we all do and I don't think that's really
17 enough ex-parte to --

18 MS. ROLANDO: I agree with you, but I can
19 tell you, I went to a national conference and
20 there was a whole seminar about not having your
21 board members visit the site.

22 MR. FULLERTON: Really?

23 MS. SPAIN: It was mind boggling. I was
24 like, what are you talking about.

25 MS. ROLANDO: Especially in Coral Gables

1 where we drive by all the time.

2 MS. SPAIN: I think it's so important to
3 see the sites.

4 MR. FULLERTON: I always drive by and I
5 don't regard it as an ex-parte conversation.

6 MS. SPAIN: I think it just needs to be
7 noted. I mean, I know the properties that I
8 drive by if I don't.

9 MR. RODRIGUEZ: We were instructed to do
10 it.

11 MR. MENENDEZ: That's more of a legal
12 issue than anything else.

13 MR. FULLERTON: Is it really ex-parte just
14 driving by -- driving down the street to look
15 at a house?

16 MS. SPAIN: I don't know the answer to
17 that. That is a legal question.

18 MR. FULLERTON: I told you it was small
19 one and unimportant.

20 MR. GARCIA-PONS: Mr. Chair, I had a
21 thought on the previous -- before we jump to
22 ex-parte, I actually agree with Ms. Spain's
23 recommendation of a stamp that says no
24 deviation from the approved certificate of
25 appropriateness drawings shall be allowed

1 without having to come back. So if Staff could
2 do two things and look into the potential of
3 adding that stamp for the no deviation and what
4 Mr. Durana had requested about the contractor
5 meeting and coming back to us with a report at
6 the next meeting, we would love to hear if
7 that's possible. Mr. Chair, is that all right?

8 MR. MENENDEZ: Is there anything else,
9 Kara?

10 MS. SPAIN: I wouldn't mind having a site
11 visit with the Staff -- I'm sorry, I think the
12 idea of having the Staff visit with the
13 contractor and the owner maybe on site, even
14 though it adds a crazy amount of -- for the
15 special certificates, I think that's a great
16 idea.

17 MR. DURANA: Yes, I think it will save
18 time especially now that they come back and
19 it's like --

20 MS. SPAIN: They just walk around and
21 say---

22 MR. DURANA: Because I'm telling you, if
23 those people would have known, I guarantee they
24 would not have taken those sills out.

25 MR. GARCIA-PONS: How many times has this

1 happened? How many times has this come before
2 us.

3 MR. DURANA: I mean, to be honest, it's
4 happened to me before. There is so many things
5 going on and then you're focused on just saving
6 this thing and then you forget this sill needs
7 to be here, whatever, and it happens.

8 MR. MENENDEZ: To tell you the truth, no
9 stamp, no meeting is really going to solve
10 this. What solves it is people being penalized
11 financially. That's what solves it.

12 MR. DURANA: Yeah, but I think it's easier
13 to penalize people financially if you went
14 ahead and had this meeting and you made it very
15 clear how important things are, then I think
16 you can say, all right now we have to penalize
17 you. I think maybe that -- you know, maybe a
18 mix of those two. I mean, we also don't want
19 to scare people, you know, into fixing up their
20 houses then we will get nobody who wants to fix
21 up their house because they're afraid they are
22 going to get penalized. So we have to be
23 careful how we craft this.

24 MR. MENENDEZ: Kara, is there anything
25 else? Warran?

1 MR. RODRIGUEZ: Can we go back to the
2 ex-parte question because we were specifically
3 told several meetings ago, two boards ago that
4 we had to -- before the beginning of each
5 meeting we had to declare if we've even driven
6 by the property.

7 MR. GUS CEBALLOS: Just to confirm, you
8 guys can hear me right now?

9 MR. FULLERTON: Yes, we can hear you.

10 MR. GUS CEBALLOS: So, yes, you are
11 required to disclose ex-parte communications
12 and site visits although I understand why there
13 is some trepidation and why there's some
14 confusion. With an ex-parte communication you
15 think there's more involvement with the -- you
16 know, a third party, but at the end of the day,
17 when you are considering items in a
18 quasi-judicial proceeding, all of the
19 information that's being used to come to that
20 determination, needs to be within these four
21 walls and you see part of the record. So the
22 fact you go by a home maybe used -- you can
23 extract an opinion. You can use that
24 information you did when you walked by or drove
25 by in the formulation of your decision. So if

1 disclosed in an effort to make sure that all
2 parties are aware that if they did drive by,
3 they have an opportunity to address it if they
4 need to, but to make sure you can be fair and
5 impartial with that additional information.

6 At the end of the day, it's a requirement
7 every board has done and I used to be the
8 counsel for Fort Lauderdale, who has a historic
9 preservation department and they have three
10 times the amount of residents that we do and
11 every single city I have ever seen always has a
12 disclosure of both ex-parte and site visits and
13 that is for that reason.

14 MS. SPAIN: That answers it.

15 MR. FULLERTON: That clarifies it, thank
16 you.

17 MS. SPAIN: Thank you.

18 MR. GARCIA-PONS: Would you entertain a
19 motion to adjourn, sir?

20 MR. MENENDEZ: I asked Kara if there was
21 anything else. If not --

22 MR. FULLERTON: I second.

23 MR. MENENDEZ: Okay. So we're adjourned.

24 MS. KAUTZ: Thank you.

25 (Thereupon, at 6:45 p.m. the meeting

1 adjourned.)

2 CERTIFICATE

3

4 STATE OF FLORIDA)

5 COUNTY OF DADE)

6

7 I, Jill M. Kircher-Echarte, court reporter
8 and Notary Public, in and for the State of
9 Florida at large, do hereby certify that I was
10 authorized to and did report said meeting in
11 stenotype; and that the foregoing pages,
12 numbered 1 to 132, inclusive, are a true and
13 correct transcription of my shorthand notes of
14 said meeting.

15 I further certify that said meeting was
16 taken at the time and place hereinabove set
17 forth and that the taking of said meeting was
18 commenced and completed as hereinabove set out.

19 I further certify that I am not an
20 attorney or counsel of any of the parties, nor
21 am I a relative or employee of any attorney or
22 counsel of party connected with the action, nor
23 am I financially interested in the action.

24 The foregoing certification of this
25 transcript does not apply to any reproduction
of the same by any means unless under the
direct control and/or direction of the
certifying reporter.

IN WITNESS WHEREOF, I have hereunto
hand this 16th day of April, 2021.

Jill M. Kircher

Jill Kircher-Echarte
NOTARY PUBLIC - STATE OF FLORIDA
MY COMMISSION NO.: GG 985081
EXPIRATION: JUNE 24, 2024.



24

25